



An
Bord
Pleanála

Inspector's Report ABP-322067-25

Development

Large-scale residential development:
Construction of 207 residential units, a
creche and all associated site works. A
Natura Impact Statement accompanied
the application.

www.oakfieldroadlrd.com

Location

Lands located on the Oakfield Road,
Sligo, Co. Sligo

Planning Authority

Sligo County Council

Planning Authority Reg. Ref.

2460186

Applicant

Novot Holdings Ltd.

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party

Appellant

Oakfield Road Residents Association

Observers

1. Margaret Curley
2. Joe & Christine Gillen
3. Stephen Gilmartin

4. Ger & Denise Canning
5. Maeve Spellman
6. Declan & Aoife McElroy
7. Beth O'Hara
8. Peggy Heraghty
9. Micheál Ó Domhnaill
10. Noeleen and Louis Cabena
11. Michael Coleman and Carole Lynch
12. Joe Finan
13. Kieran Dineen
14. Annabel Gilmartin
15. Des McConville
16. Kevin Kelly

Date of Site Inspection

23rd April 2025

Inspector

Jim Egan

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1.0 Site Location and Description

- 1.1. The appeal site, with a stated area of 6.17 hectares, comprises greenfield land located on the eastern side of Oakfield Road, c. 1.4km southwest of Sligo town, Co. Sligo.
- 1.2. The site is located within an established residential area, including single and two-storey, detached and semi-detached dwellings fronting Oakfield Road and thus facing the appeal site from the west. There is further residential development east of the railway line, including a local authority Part 8 scheme of 62 no. dwellings under construction opposite the southeastern end of the appeal site.
- 1.3. The site is abutted to the north by the rear garden boundaries of dwellings fronting Maugheraboy Road, to the east by the Sligo to Dublin railway line and associated Irish Rail land, to the south by greenfield / agricultural land, and to the west by Oakfield Road. There is an existing bridge over the railway line adjoining the southeast corner of the appeal site.
- 1.4. The site, which rises gently from north to south with a level difference of c. 3m, is characterised by grassland, hedgerows, scrub and stockpiles of spoil material, which according to submitted documentation, is associated with previous works on site for the laying of foul mains infrastructure. The western boundary to Oakfield Road extends to c. 330m and comprises mostly of hedgerow with intermittent trees, and also sections of exposed low stone wall and sections of an open boundary. The eastern boundary to Irish Rail land and the railway line comprises a hedgerow and trees. The boundaries to the rear gardens of the dwellings fronting Maugheraboy Road to the north comprise various treatments including timber picket fence, hedgerows and post and wire fence.
- 1.5. The red line boundary also extends north along Oakfield Road, through Ballydoogan Road Roundabout and onto Larkhill Road for the purposes of service connections.
- 1.6. Oakfield Road includes a footpath on its western side (opposite side from the appeal site), connecting from Ballydoogan Road roundabout north of the site to a point on Oakfield Road close to the southern boundary of the site. The remaining length of Oakfield Road running south to the Western Distributor Road has no footpath, apart from a minor section to the frontage of Oakfield Park housing development.

2.0 Proposed Development

2.1. The proposed development comprises the following:

- Construction of 207 no. residential units (21 no. 1-bedroom apartments, 37 no. 2 bedroom apartments, 4 no. 2 bedroom terrace houses, 99 no. 3 bedroom terrace houses, 4 no. 3 bedroom semi-detached houses, 42 no. 4 bedroom semi-detached houses).
- A creche facility including a secure external play area.
- All associated surface water and foul drainage services and connections with all associated site works and ancillary services.
- Pedestrian, cycle, and vehicular access/egress, and internal pedestrian and cycle access/egress along Oakfield Road.
- Public open space, communal open space, private open space, site landscaping, public lighting, refuse storage, car parking, bicycle parking, boundary treatments, and all associated site development works.

2.2. Further information, submitted on the 22nd November 2024, amended the site layout plan to facilitate modifications to the landscaping design and the provision of additional crèche car parking. The number of dwelling units remained unchanged at 207 no.

3.0 Planning Authority Pre-Application Opinion

3.1. The Planning Authority and the Applicant convened a meeting under Section 32C of the Planning and Development Act, 2000 (as amended), for the proposed Large-scale Residential Development (in respect of a development comprising 207 no. residential units, a creche and associated site works) on 7th February 2024. The record of that meeting is attached to the current file.

Further to that meeting, the Planning Authority issued an opinion, dated 1st March 2024, under Section 32D of the Act stating that the documents that had been submitted constituted a reasonable basis on which to make an application for permission for the proposed LRD subject to specific further consideration and amendment.

The detailed assessment contained within the Opinion highlights areas for the applicant to consider or address when making a future planning application. These can be summarised as follows:

- The Sligo County Development Plan 2017-2023 is the statutory plan, with the zoning and objectives contained in the Sligo and Environs Development Plan 2010-2016 incorporated as statutory provisions. However, the Sligo County Development Plan 2024-2030, currently at draft stage, may come into effect prior to a decision being made on an LRD application. Applicant to be mindful of this.
- Regard should be given to the Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities. 2024, including to provide a detailed residential density calculation in line with Appendix 2.
- Examine the drop off arrangements/area for the crèche facility due to potential conflict with other road users.
- Concerns raised regarding the layout of the dwellings to the south-west of the site and the proximity to the associated parking. Best practice would be to have parking spaces located more convenient to the dwellings.
- Additional work required on taken in charge, noting that open spaces are taken in charge but not maintained. Playgrounds are not taken in charge.
- As per regulations, a website needs to be provided to host the application documents.
- Incorrect site area stated on development description in some of the documentation.
- The conclusion of the screening was that an Appropriate Assessment is required, and a Natura Impact Statement shall be prepared. The Planning Authority would concur with the findings.
- Archaeological significance of potential link between townland boundary and historical water course to be examined.

Traffic and Transport

- Internal roads layout:

- Compliance with DMURS
 - Consider increasing main access roads to 5.5m wide as far as first table-top, then reduce to 5.0m wide roadways internally.
 - Clarification on material selection e.g. for homes zones, tabletops, ramps, etc.
 - Concern regarding parking spaces being very close to the entrances off Oakfield Road.
 - Internal road junctions to be reviewed i.e. skewed junction at centre east of site.
 - Concern regarding intent and design of cycle-lane connecting the internal roadways. Road Safety Audit to review location, width etc.
 - Longitudinal gradients of roadways to be noted on drawings.
 - Table-tops to integrate the uncontrolled pedestrian crossings i.e. crossing should be on the table-top so that traffic is calmed in advance of the crossing e.g. the approach to table-top from northern entrance roadway.
- Continuous footpaths to be provided at junctions throughout the scheme and at main entrances.
 - Clarifications required on the Road Safety Audit in terms of recommended measures being accepted, alternative measures adopted and completion of Feedback Form.
 - Boundary details need to be confirmed.
 - Signage and lining details to be added to Roads Layout.
 - Site layouts shall demonstrate that adequate visibility sightlines at both entrances are achievable.
 - Pedestrian permeability towards north-east and eastwards is desirable.
 - A Construction Stage Traffic Management Plan shall be submitted prior to commencement i.e. updating of the Preliminary Plan already submitted.

- Close coordination required with Road Design Office with respect to the alignment of the proposed Oakfield Road upgrade.
 - Consider how to terminate / transition the end of the proposed cycle lane / footpath with the existing infrastructure on Oakfield Road, detail to be agreed with the local authority.
 - A crossing point required opposite side of Oakfield Road, location to be agreed with the local authority.
 - Detail to be agreed on how the area between the proposed cycle lane / footpath and Oakfield Road is to be finished.

Active Travel

- Drawings to show width of proposed cycle track and footpath.
- Entrances to be designed in accordance with Cycle Design Manual, September 2023.
- Drawings to show transition from segregated cycle and pedestrian facilities back to shared surface at northern end of Oakfield Road.
- As per Cycle Design Manual September 2023, the preferred arrangement is that cycle tracks continue with priority at road junctions.

Water Services – Stormwater

- All crossing of the open ditch to the south side of the site will be required to be culverted to a suitable standard.
- As per the requirements of C753 Discharge shall be limited to greenfield rates (Qbar) or the available capacity within the downstream drainage network whichever is the least. Based on Qbar discharge shall be 3.74l/hac/s calculated on positive drainage areas only. If the total area which connected to the drainage network is 2.428 hectares discharge from this network shall be 9.09l/s.

Fire Services

- Fire safety certificates are required for the apartments in accordance with Article 11(1)(a) of the Building Control Regulations 1997-2018.
- Hydrants to be provided as per Irish water guidelines.

Housing

- Applicant to review dispersal of house units throughout the site to allow for a more even spread of Part V units.
- Applicant to provide evidence to demonstrate how percentage split of 10% / 20% Part V has been arrived at.

The Opinion also stated that, in the event that the applicant proceeds to submit a planning application, the LRD application should include the same suite of named documents submitted as part of the LRD meeting, all of which have been submitted with the application.

- 3.2. The application includes a Statement of Response from the applicant on the LRD Opinion which includes specific responses to the points of information requested by the planning authority.
- 3.3. For the Board's clarity, copies of the minutes of the pre-planning meetings and the planning authority's LRD Opinion are included in the case documentation.

4.0 Planning Authority Decision

4.1. Summary of Decision

- 4.1.1. Sligo County Council issued a Notification of Decision to Grant Permission on 13th February 2025 subject to 23 no. conditions, none of which significantly altered the proposed development.
- 4.1.2. Condition 2 requires implementation of NIS mitigation measures. Condition No. 3 relates archaeological monitoring. Condition 7 requires implementation of all recommendations of the submitted Road Safety Audit and submission of a completed Stage 3 Road Safety Audit on completion of the development with recommendations of same to be implemented. Condition 10 requires all pedestrian and cyclist links to be designed in accordance with the Cycle Design Manual. Condition No. 14 requires a Construction and Environmental Management Plan. Conditions 15 and 19 relate to management of construction waste. Condition No. 21 relates to a Section 47 agreement restricting first occupancy of the dwellings to individual purchasers and /or those eligible for social and affordable housing including cost rental housing.

4.2. Planning Authority Reports

4.2.1. Planning Reports

The initial planners report dated 12th July 2024 recommended that 9 no. items of further information be sought. These items are summarised below:

1. Clarification on breeding bird surveys carried out on the site.
2. Revised landscape plan to retain more biodiversity, and revised lighting plan to minimise light pollution.
3. Plan for invasive alien species.
4. Details of completed pre-connection enquiry with Uisce Eireann.
5. Details of build over / diversion of existing sewer within the site.
6. Revised Traffic and Transport Assessment (TTA) to include traffic counts, details on HGV movements and clarification around the trip generation data used.
7. Details for a future Land Dedication Agreement relating to the setback along Oakfield Road.
8. Revised plans showing compliance with minimum parking standards for a creche facility.
9. Proposal showing greater dispersal of Part V units.

Significant further information was received on the 22nd November 2024.

The planners report dated 12th February 2025 considered that all items of further information had been adequately addressed and recommended that permission be granted subject to conditions.

4.2.2. Other Technical Reports

Area Engineer: Report dated 2nd July 2024 recommending that further information be sought with regards the submitted Traffic and Transport Assessment, requiring data on traffic counts, HGV volumes and trip generation. This was reflected in the further information request issued by the planning authority. A further report dated 23rd January 2025 acknowledged further information received in respect of traffic counts, HGV volumes and trip generation. Having regard to the data submitted, the Area

Engineer determined that there will be no negative impact to the surrounding road network taking account of the planned upgrade works of the Oakfield Road, the provision of the Western Distributor Road, the future public transport services in the vicinity and the Sligo Local Transport Plan 2024-2030.

Environment Section: Report dated 9th July 2024 raised no objection subject to standard conditions with regards water service connections, waste management and construction phase procedures. A further report dated 9th January 2025 acknowledged further information received and reiterated no objection subject to the same suite of conditions as above.

Housing Section: Report dated 24th June 2024 advised that discussions had taken place but that no agreement had been reached on the provision of Part V housing. Further advised that a revised layout would be required to show dispersal of Part V units. This was reflected in the further information request issued by the planning authority.

Sligo Fire Services: Report dated 7th June 2024 noted that Fire Safety Certificate applications are required for the apartments and creche.

4.3. Prescribed Bodies

Uisce Eireann

A submission dated 27th June 2024 recommended that further information be sought with regards an on-going pre-connection enquiry on the feasibility of connection to water services and further engagement with regards build over and / or diversion of existing infrastructure. This issue was reflected in the request for further information. A letter from Uisce Eireann confirming feasibility for connection to water and foul mains was included as further information which, incidentally, was a copy of an Uisce Eireann letter submitted with the application when initially lodged.

Iarnród Éireann

A submission dated 27th June 2024 raised objection with regards the proposed 2m high boundary treatment to the railway line, requiring a 2.4m high fence or wall adjacent to the boundary. The submission also outlines standard requirements with regards development adjacent to railway lines.

Development Application Unit (Nature Conservation), Department of Housing, Local Government and Heritage

A submission dated 5th July 2024 recommends 1) that the proposal is partially re-designed in order to retain natural vegetation and valuable ecological corridors and wetlands to facilitate bat and wintering bird foraging, 2) retain all possible existing natural vegetation in the first instance, 3) concern with respect to non-native planting and seeding source for wildflower meadows 4) sensitive lighting be used to reduce environmental intrusion, 5) requirement for invasive species management plan, 6) hardstanding and car parking areas should be redesigned to use SuDS-grade permeable surfaces, 7) use of porous car park surfaces and hard standings where possible. All planting should be of native species. Issues raised were reflected in the further information request issued by the planning authority.

A further report dated 2nd January 2025 acknowledged further information received by the planning authority however in referencing the National Biodiversity Plan, raises concern with regards retention of existing vegetation on the site and makes the following recommendations:

- Retain all possible existing natural wild areas and biodiversity as a first priority.
- Ecological Clerk of Works to be present at the start and at all other critical times on site.
- Fence off areas all to be retained – no construction use or storage of materials should be permitted here.
- Avoid any removal of vegetation between March and August inclusive. This is when wildlife is breeding and needs to be undisturbed to ensure future generations.

The submission recommends that the lighting plan should be revised to include a non-technical summary (NTS) to declare the intent to minimise light pollution and explain the technical terms.

The submission also refers to archaeology noting the remains of a possible enclosure identified during the Archaeological Impact Assessment carried out by the project archaeologist, making recommendations with regards conditions for further testing and monitoring.

4.4. Third Party Observations

- 4.4.1. 38 no. observations were made on the application. The content of the observations generally reflects the content of the third-party appeal and observations made on same. Grounds of appeal are discussed in greater detail under Section 6.0 below.
- 4.4.2. Further information received on the 22nd November 2024 was deemed to be significant. 3 no. observations were made in respect of the significant further information. As per initial observations received, the content of the further observations generally reflects the content of the third-party appeal and observations made on same

5.0 Planning History

5.1. Appeal Site

No recent planning history. The appellant refers to a 1983 Board refusal on the site. A record of this decision is not available however I do not consider that a 1983 planning decision is relevant by reason of the passage of time.

5.2. Surrounding Area

Part 8, Robber's Lane, Maugheraboy, Sligo – Project was agreed at the December 2021 ordinary council meeting of Sligo County Council and comprises the construction of 62 no. Social Housing Dwellings, 2 no. Multi Use Games Areas (pitches) and a Children's playpark. Construction commenced in June 2024. The site is located east of the appeal site, on the opposite side of the railway line.

6.0 Policy Context

6.1. Revised National Planning Framework, 2025

The National Planning Framework (NPF) is the Government's high level strategic plan for shaping the future growth and development of Ireland to 2040. The Revised NPF takes account of changes that have occurred since the publication of the first NPF in 2018. Of relevance to Sligo town and the appeal is that the revised NPF continues to target the Northern and Western Region to grow to 1 million persons by 2040, equating to an additional 150,000 persons over the 2022 Census figure. The revised NPF

continues to identify Sligo as a Regional Centre, having a key role in the growth of the region.

The NPF identifies that the presence of strong employment sectors such as Pharma and Engineering, Higher Education Institutes (HEIs), cultural institutions and health services indicate latent capacity for Sligo to enhance its regional role, and that this can be achieved through building critical mass of population and further employment, in tandem with enhanced accessibility and quality of life.

Relevant policy objectives are as follows:

National Policy Objective 3 seeks to deliver approximately 150,000 additional people in the Northern and Western Region between 2022 and 2040 (c. 210,000 additional people over 2016-2040) i.e. a population of just over 1 million.

National Policy Objective 5 The regional roles of Athlone in the Midlands, Sligo and Letterkenny in the North-West and the Letterkenny-Derry and Drogheda-Dundalk-Newry cross-border networks will be supported in the relevant Regional Spatial and Economic Strategy and in Regional Enterprise Plans.

National Policy Objective 9 Deliver at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, within their existing built-up footprints and ensure compact and sequential patterns of growth.

National Policy Objective 13 Develop cities and towns of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.

National Policy Objective 85 In line with the National Biodiversity Action Plan; the conservation, enhancement, mitigation and restoration of biodiversity is to be supported by:

- Integrating policies and objectives for the protection and restoration of biodiversity, including the principles of the mitigation hierarchy of - avoid, minimise, restore and offset - of potential biodiversity impacts, in statutory land use plan.
- Retention of existing habitats which are currently important for maintaining biodiversity (at local/regional/national/international levels), in the first instance,

is preferable to replacement/restoration of habitats, in the interests of ensuring continuity of habitat provision and reduction of associated risks and costs.

6.2. National Guidance

Having considered the nature of the proposal, the receiving environment, the documentation on file, including the submissions from the planning authority, I am of the opinion that the directly relevant Section 28 guidelines are as follows:

- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024
- Design Manual for Quality Housing, Department of Housing, Local Government and Heritage, 2023
- Sustainable Urban Housing: Design Standards for New Apartments, 2023
- Design Manual for Urban Roads and Streets

6.3. Climate Action Plan

The purpose of the Climate Action Plan is to lay out a roadmap of actions which will ultimately lead to meeting Ireland's national climate objective of pursuing and achieving, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy. It aligns with the legally binding economy-wide carbon budgets and sectoral emissions ceilings that were agreed by Government in July 2022.

Climate Action Plan 2025 builds upon last year's Plan by refining and updating the measures and actions required to deliver the carbon budgets and sectoral emissions ceilings and it should be read in conjunction with Climate Action Plan 2024.

6.4. National Biodiversity Action Plan (NBAP) 2023-2030

Ireland's 4th NBAP sets the biodiversity agenda for the period 2023 – 2030. The NBAP has a list of Objectives which promotes biodiversity as follows:

Objective 1 Adopt a whole of government, whole of society approach to biodiversity

Objective 2 Meet urgent conservation and restoration needs

Objective 3 Secure nature's contribution to people

Objective 4 Enhance the evidence base for action on biodiversity

Objective 5 Strengthen Ireland's contribution to international biodiversity initiatives

6.5. Northern and Western Regional Assembly - Regional Spatial and Economic Strategy (RSES) 2020

This RSES provides a high-level development framework for the Northern and Western Region that supports the implementation of the National Planning Framework (NPF). The vision of the RSES is to play a leading role in the transformation of the region into a vibrant, connected, natural, inclusive and smart place to work and live.

Under the RSES, Sligo town is designated as a 'Regional Growth Centre' aligning with its designation as a Regional Centre under the NPF. The RSES recognises that Sligo has the vision and capacity to be a Regional Growth Centre of scale, targeting a population in the principal urban area of the town of at least 27,200 persons by 2040, which equates to 40% growth above the 2016 Census figure. Within Sligo, the RSES seeks to prioritise new residential and employment related development on greenfield sites in the areas served by the Western Distributor Road.

RPO 3.1 Develop urban places of regional-scale through:

- Delivering on the population targets for the Metropolitan and Regional Growth Centres through compact growth:
- Delivering significant compact growth in Key Towns; and
- Developing derelict and underutilised sites, with an initial focus within town cores.

RPO 3.2 (a) Deliver at least 50% of all new city homes targeted in the Galway MASP, within the existing built-up footprint of Galway City and suburbs. (b) Deliver at least 40% of all new housing targeted in the Regional Growth Centres, within the existing built-up footprint. (c) Deliver at least 30% of all new homes that are targeted in settlements with a population of at least 1,500 (other than the Galway MASP and the Regional Growth Centres), within the existing built-up footprints³

The following policy objectives are specific to Sligo town:

RPO 3.7.37 Support population growth in the principal urban area of Sligo to a level of at least 27,200 persons by 2040.

RPO 3.7.38 Facilitate the provision of 3,000 to 5,000 residential units to accommodate the additional population envisaged by 2040.

RPO 3.7.39 Ensure that at least 40% of new residential and employment-related development in the Regional Growth Centre occurs within Sligo's existing built-up urban area, through regeneration and consolidation on infill and brownfield sites.

RPO 3.7.41 Kick-start development to the south-west of the urban core by completing the Western Distributor Road by 2020.

RPO 3.7.42 Prioritise new residential and employment related development on greenfield sites in the areas served by the Western Distributor Road at Caltragh and Oakfield, and at Ballinode, which will be served by the Eastern Garavogue Bridge and Approach Roads Scheme.

6.6. Sligo County Development Plan 2024-2030

The Sligo County Development Plan 2024-2030 took effect on 11th November 2024 except for those parts of the Plan which are subject to a Draft Ministerial Direction. The Draft Ministerial Direction was issued on 8th November 2024 and relates to land use zonings in a number of settlements, including 6 no. parcels of land in Sligo town, and separately to text relating to access onto national primary roads. I am satisfied that the Draft Ministerial Direction has no direct implications for the appeal site.

The Sligo County Development Plan 2024-2030 includes zoning maps for all settlements in the county, including Sligo town. Chapter 3 (Core Strategy Statement), Chapter 4 (Sligo Regional Growth Centre Strategic Plan), Chapter 5 (Settlement Strategy), Chapter 6 (Housing Delivery Strategy), Chapter 9 (Transport Strategy), Chapter 10 (Urban Development), Chapter 24 (Natural Heritage), Chapter 26 (Residential Development), Chapter 29 (Transport Infrastructure), Chapter 30 – Water Infrastructure and Chapter 33 (Development Management Standards) of the County Development Plan are all considered relevant.

Chapter 3 – Core Strategy Statement

Under Chapter 3, Sligo is identified as the only level 1 settlement (Regional Growth Centre) in the settlement hierarchy for the County, the strategy for which is to facilitate strong housing and population growth. The Core Strategy (Table 3.2) outlines a housing allocation of 2,649 no. units for Sligo town to 2030 to cater for c. 23% target population growth over the 2022 Census figure.

Section 3.2.6 states that for Regional Growth Centres, such as Sligo Town, recommended densities range from 50-150 dwellings per hectare (net) in the town centre, to 35-50 units/ha at the edges or in new suburban extensions.

Chapter 4 – Sligo Regional Growth Centre Strategic Plan (RSES)

Section 4.3 refers to the three categories of strategic growth areas identified in the Northern and Western Regional Assembly RSES including the predominantly residential areas of the Docklands, Caltragh (which includes the appeal site) and Ballinode.

SP-RGC-1 Support population, housing and employment growth in Sligo RGC to achieve the targets set in the RSES (2020) and subsequent reviews.

Chapter 10 – Urban Development

Chapter 10 includes a Town Plan, Zoning Map and Objectives Map for Sligo town.

Under the Zoning Map for Sligo town, the appeal site is zoned '**nRES – New Residential Uses**', the objective of which is to '*Promote the development of greenfield/ infill/ backlands for high-quality residential uses such as apartments, houses, sheltered housing and live-work units, retirement homes etc., in tandem with the provision of the required physical infrastructure*'. Under the Zoning Matrix at Section 10.5.4, 'Residential – Houses' is included as 'Uses that are normally permitted' on land zoned nRES – New Residential Uses.

The red line also extends north on Oakfield Road and Larkhill Road to facilitate service connections. The piece of land within the red line at this location is identified on the Sligo town zoning map as being part of the public road and is therefore not zoned.

The Objectives Map for Sligo town shows the route of a proposed 'Green Corridor' running west-east close to the southern boundary of the site. As per the objectives map, the purpose of the green corridor is to develop a walking, cycling and jogging

network, with the section of corridor at this location identified as being a connection between Oakfield Road and Summerhill Roundabout on the N4, aligned close to and partially within the appeal site, before crossing the railway line by utilising an existing bridge and then running adjacent to the southern boundary of the Part 8 housing scheme referred to in Section 5 of my report.

The Town Plan for Sligo town identifies Settlement Consolidation Sites and Additional Provision sites, as recommended in the Development Plan Guidelines (2022), in order to give effect to the National Planning Framework (NPF) requirements for compact growth. The Plan also identifies a number of Regeneration Sites in accordance with Section 10(2)(h) of the Planning and Development Act 2000 (as amended).

The appeal site is identified as a Settlement Consolidation Site. Table 11.2 outlines that the larger block of land at this location of which the site is part of (west of railway line, north of Western Distributor Road) amounts to 16.2ha, with a potential housing yield of 567 no. dwellings, at an average density of 35 units per hectare. The Town Plan further states that sites zoned RES are presumed to be developed exclusively for housing.

P-CG-1 Ensure that the expansion of towns or villages takes place in accordance with the principle of sequential development, from the settlement core outwards, on infill sites, backland sites and designated Settlement Consolidation Sites.

The Town Plan for Sligo town contains the following relevant objectives (emphasis underlined):

SO-GC-1 It is an objective of Sligo County Council to develop a walking, cycling and jogging network...including a green corridor connecting Oakfield Road to Summerhill Roundabout.

Other relevant policies and objectives of the County Development Plan are as follows:

Chapter 5 – Settlement Strategy

SP-S-1 Pursue the accelerated and compact development of Sligo Town as a Regional Growth Centre and economic driver for the North-West region.

Chapter 6 – Housing Delivery Strategy

SP-HOU-1 Encourage a balanced supply of housing in the county, in a manner that is consistent with the Core Strategy and the Settlement Hierarchy, and which will support the creation of sustainable communities through the provision of an appropriate range of house types and high-quality residential environments.

Chapter 9 – Transport Strategy

SP-TRA-3 Encourage the shift from car use to sustainable modes of transport such as cycling and walking.

SP-TRA-4 Reduce the demand for travel by integrating land use with transport planning, ensuring that new development takes place in a compact form at locations with the highest levels of accessibility for public transport and active travel (walking and cycling).

SO-TRA-4 Implement a programme of measures to support active travel in the county with the support of funding from the Active Travel Investment Programme of the NTA and pursue the implementation of the sustainable transport targets set out in Table 9.1 (Performance indicators and target aspirations for assessing progress of the LTP).

SO-TRA-5 Implement the principles and objectives of the Local Transport Plan for the Sligo Regional Growth Centre by:

- A. Promoting the convenience and attractiveness of bus, rail and park-and-ride facilities.
- B. Enhancing integration between existing and proposed land-uses and the transport network.
- C. Improving accessibility to Sligo Town from the settlements located in the LTP Study Area.
- D. Developing an enhanced pedestrian network, improving permeability and creating a 'sense of place' within Sligo Town.
- E. Extending and enhancing the cycle network throughout the LTP Study Area.

Chapter 24 – Natural Heritage

- P-BD-1** Protect, conserve, enhance and sustainably manage the natural heritage, biodiversity, geological heritage, landscape and environment of County Sligo.
- P-BD-3** Ensure that the ecological impact of all development proposals on habitats and species are appropriately assessed by suitably qualified professionals, in accordance with best practice guidelines, taking full account of the precautionary principle where uncertainty exists.
- P-BD-4** Minimise adverse impacts of proposed developments on existing habitats (whether designated or not) by including mitigation and/or compensation measures as appropriate. This shall comprise the retention and enhancement of all possible existing habitats, vegetation and breeding sites in the early design stages of the development.
- P-BD-7** Require development proposals on sites of 0.5 ha and over to retain existing high quality ecological features and demonstrate a site-specific biodiversity net gain (BNG), indicating how the approach to development will leave the natural environment in a measurably better state than it was beforehand. The same approach will be encouraged, although not required, on sites under 0.5 ha. The biodiversity net gain (BNG) shall consist of the enhancement and restoration of existing habitats or the creation of new areas for wildlife, where the biodiversity value of the site is low or non-existent (e.g. certain brownfield sites).

Chapter 26 – Residential Development

- P-UHOU-2** Ensure that appropriate densities are achieved in appropriate locations and circumstances, in accordance with the principles set out in the Sustainable Residential Development and Compact Settlements Guidelines (2024) and the Urban Design Manual: A Best Practice Guide (DEHLG, 2009), Urban Development and Building Height Guidelines for Planning Authorities (2018) and any subsequent statutory guidance.
- P-UHOU-4** Ensure the provision of a suitable range of house types and sizes to reflect the changing demographic structure and the trend towards

smaller household sizes. In private housing schemes, the following mix of unit types should generally apply:

<u>House type</u>	<u>Proportion in the scheme</u>
1 bedroom minimum	10% of total no. of units in any scheme with 10 or more units
2 bedrooms minimum	20% of total no. of units
3 bedrooms minimum	30% of total no. of units
4+ bedrooms maximum	20% of total no. of houses

P-UH-OS-2 Require developers to retain significant hedgerows, tree groups and wetlands and incorporate these features into residential developments where possible.

P-SHOU-1 Promote social inclusion by ensuring that social housing is well distributed throughout all residential areas rather than concentrated in a few locations.

Chapter 29 – Transport Infrastructure

P-CW-3 Require that all new developments are designed to integrate into a cycling network linking with adjoining development areas and schools, and provide cycle and pedestrian-friendly development layouts, infrastructure and facilities.

Chapter 30 – Water Infrastructure

P-SWD-1 Require all new developments, redevelopment of brownfield sites and extensions to existing developments (where appropriate) to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems, where feasible.

Such developments shall connect to existing surface water drainage systems (where available) which, in the opinion of the planning authority, have adequate capacity to accommodate additional loading (refer also to Section 3.5 of the accompanying SFRA, “Sustainable Urban Drainage Systems and Surface Water Guidance and Strategy”)

Chapter 33 – Development Management Standards

Section 33.2 General Standards

Section 33.2.12 Site landscaping and retention of biodiversity

Section 33.3 Residential Development in Urban Areas

Sligo Local Transport Plan 2024-2030

Section 6.2.4 relates to a proposed secondary two-way cycling network and includes a proposal to introduce improvements for active travel connectivity on Oakfield Road in line with schemes currently under development.

6.7. Natural Heritage Designations

6.7.1. The site is not located within or adjacent to any designated sites. The closest European Sites are as follows:

- Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), c. 1.3km northeast of the site
- Lough Gill SAC (Site Code: 001976), c. 1.3km northeast of the site
- Ballysadare Bay SAC (Site Code: 000622), c. 4.6km southwest of the site
- Cummeen Strand SPA (Site Code: 004035), c. 1.3km northeast of the site
- Ballysadare Bay SPA (Site Code: 004129), c. 4.6km southwest of the site

6.7.2. The Cummeen Strand/Drumcliff Bay (Sligo Bay) pNHA (Site Code: 000627) and the Lough Gill pNHA (Site Code: 001976) are both c. 1.3km to the northeast; the Knocknarea Mountain and Glen pNHA (Site Code 001670) is c. 4.5km to the west; and Ballysadare Bay pNHA (Site Code: 000622), is c. 4.6km to the southwest.

7.0 The Appeal

7.1. Grounds of Appeal

7.1.1. A third-party appeal was received on behalf of the Oakfield Road Residents Association against the decision of the planning authority to grant permission. The main points of the appeal can be summarised as follows:

Overdevelopment / Density

- Density calculation is incorrect. The net site area should exclude large central areas of the proposed development. As such, the actual density is greater than the stated density of 38.5 dwellings per hectare and therefore excessive for the site. (The appellant refers to a density of 45 dwellings per hectare).
- The location of apartment blocks on the interface with Oakfield Road is the incorrect approach. Apartment blocks should border open spaces or be located further north thereby closer to public transport and services.
- The proposal fails to achieve the correct balance having regard to the form and size of the units, the degree of car parking and public transport capacity.

Availability of Public Transport

- Proposed development does not have access to high capacity, high frequency public transport.
 - Closest bus stop on S2 route is 650m from the northern end of the site.
 - Bus route S3 is closer to the site but has an hourly service which does not address inadequacy of public transport services in the area.
- Proposed provision of car parking will result in reliance on public transport, and lack of same will result in reliance on private car and overspill of car parking in the wider area.
- Lack of cycling infrastructure and lack of services in the area.
- On this basis, the site falls into the category of 'Peripheral and / or Less Accessible Urban Location' as per the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2022, and therefore a development with a lesser density is more appropriate.
- Refers to Circular Letter: NRUP 02/2021 which relates to the direction that densities less than 35 dwellings per hectare can be considered in certain circumstances.
- Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities, 2024, state that it is a policy and objective that residential

densities in the range of 35 to 50 dwellings per hectare (net) is applied unless there are extenuating circumstances, as is the case in this instance.

- The Board's decision should be based on the current capacity rather than future plans to improve public transport services.
- In respect of public transport capacity in the context of density, the appellant refers to *Ballyboden Tidy Towns Group v An Bord Pleanála, The Minister for Housing, Local Government and Heritage, Ireland and the Attorney General (2022) IEHC 7, Record no. 2020/826JR* and to *O'Neill v An Bord Pleanála and Ruirside Developments (2020) IEHC 356 s157 et seq.*

Traffic Hazard

- Proposed development is premature pending the upgrade of Oakfield Road.
- Proposal will result in noise and traffic impacts and hazards at both construction and operation stages, noting that the road provides direct access to c. 20 houses on the western side of the road.
- Road is deficient in terms of width and alignment, noting the blind bend close to the proposed southern entrance.
- No mitigation proposed for loss of entire hedgerow on Oakfield Road.

Biodiversity

- The submitted Ecological Impact Assessment is deeply flawed.
- Local evidence shows that the site is a rich source of habitat for local ecology.
- Lack of clarity in terms of how the hedgerow on the eastern boundary would be retained considering the nature of the layout with rear gardens backing onto that boundary.
- Failure to incorporate existing trees and hedgerow into the layout is a significant flaw. No justification is provided for the removal of the western hedgerow and trees, contrary to County Development Plan policies P-BD-1, 2, 4 and 7. Application does not demonstrate a site-specific biodiversity net gain as required by policy P-BD-7.

Public Open Space

- The provision of public open space is below the 10% required by the County Development Plan, for the reason that some areas including narrow tracts of land cannot reasonably be described as public open space, such as the space between the apartment blocks and combined cycle/ pedestrian path, inaccessible scrubland and wetlands.

Inadequacy of Assessments

- Cumulative impact was not adequately assessed within the EIA screening exercise, particularly having regard to the Oakfield Road improvement scheme which is intrinsically linked to the proposed development.

Screening for Environmental Impact Assessment

- Refers to *Waltham Abbey Residents Association v An Bord Pleanála & Ors (2021)* with respect to the list of items that should be considered when screening for EIA.

Negative Impact on Property Values

- The proposed development will have a negative impact on the value of properties adjoining the boundaries of the subject site given the profound overbearing nature of the proposed development along Oakfield Road, decreased privacy, severe traffic disruption and significant loss of residential amenity.

7.2. Applicant's Response

The Board received a response to the third-party appeal on 14th April 2025 on behalf of the applicant. The relevant points of the response are summarised below.

Overdevelopment / Density

- Density calculation is in accordance with *Appendix B - Measuring Residential Density of the Sustainable Residential Development and Compact Settlements Guidelines (2024)*.
 - Net site area excludes the strip of land along the western edge to be ceded to Sligo County Council and also excludes land identified as Flood

A and B on OPW mapping, noting that at the time of lodging the application, this land towards the centre of the site was zoned 'OS-Open Space' under draft CDP 2024-2028, but subsequently zoned 'nRES-New Residential Uses' in the adopted CDP.

- Proposed density of 38.5 units per hectare is within the 35 – 50 dwellings per hectare range for 'Suburban / Urban Extension' sites in Regional Growth Centres, therefore consistent with *Sustainable Residential Development and Compact Settlements Guidelines (2024)*.
- The density is also consistent with *The Sustainable Urban Housing: Design Standards for New Apartments (2022)* and *Section 3.2.6 of the Sligo County Development Plan 2024-2030*.

Availability of Public Transport

- The site is located within the Sligo town urban area, a Regional Growth Centre.
- The site is highly accessible and well served by a range of sustainable transport options.
 - S2 local bus service accessible via a stop c. 600m from the proposed northern entrance to the site, provides access to Sligo town, Strandhill and Rosses Point.
 - S3 local bus service, via Maugheraboy Road, provides further connectivity to the site.
 - Local link route 977 connects Sligo to Castlerea via Atlantic Technological University (ATU) Sligo, with the closest stop on the R292 Knappagh Road, c. 700m from the proposed northern entrance to the site.
 - 17-minute walk to Sligo train station
- The site is within walking and cycling distance of a range of local services and amenities.

Car Parking

- The proposed development meets the minimum standards for car parking as required under the County Development Plan 2024-2030.

Traffic Hazard

- Proposed development is not dependant on upgrades to Oakfield Road.
- Submitted Transport and Traffic Impact Assessment (TTA) and subsequent update of same at further information stage demonstrate that existing junctions with Oakfield Road will continue to operate within capacity once the development is complete / occupied.
- Submitted Road Safety Audit identified 16 safety issues, with recommendations accepted in respect of 15 of these issues, and an alternative agreed for the remaining issue. Condition no. 7 on the planning authority's decision requires that all recommendations are implemented.
- The proposed development will integrate with existing pedestrian and cycle network.
- Local authority proposed upgrade scheme to Oakfield Road relates to active travel measures only and does not relate to width or capacity issues associated with the road. Rather the scheme would comprise a reduction in the width of the Oakfield Road vehicular carriageway to a DMURS compliant width in a number of stretches along its route.
- A preliminary construction management plan dealing with issues including traffic impacts was submitted as part of the application. A detailed plan will be prepared by to commencement of development, the submission is which can be required by condition.

Biodiversity

- All ecological surveys and assessments undertaken by MKO were conducted in full accordance with the most up to date and recognised methodologies.
- Various ecological surveys were carried out comprising multidisciplinary ecological walkover surveys, wintering bird surveys and bat surveys.
- The ecological surveys undertaken provided a comprehensive and accurate description of the baseline ecological conditions of the site. MKO acknowledges the site supports habitats and fauna of 'Local Important – Higher Value', classified as Key Ecological Receptors (KERs). The ecological impact

assessment includes an assessment of the impacts of the proposed development on the KERs.

- MKO is satisfied that all habitats and species (both flora and fauna) within the development site were accurately identified, that a robust assessment of potential impacts on same was undertaken in line with relevant guidance and industry best practice methodologies and that the conclusions of the ecological impact assessment remains valid.
- The revised landscape design report and landscape plan have been designed to retain and promote habitats of Local Importance – Higher Value including hedgerow, wet grassland and scrub within the site. Additional planting of native trees and hedgerow fully compensates for the loss of existing trees and hedgerows, providing enhanced biodiversity and additional foraging, commuting and nesting habitats for a range of local fauna.
- The landscaping measures will deliver a clear biodiversity gain and enhance the ecological value of the site.

Public Open Space

- Public open space at 15% of the relevant site area is proposed, excess of the 10% minimum required under the County Development Plan and Sustainable Residential Development and Compact Settlements Guidelines 2024.
- The ‘narrow tracts’ referred to by the appellant, one located close to the southern entrance and another located west of apartment blocks L and M, are c. 12 to 16m in width and receive full landscape treatment, passively overlooked from adjacent proposed residential units, and will function as attractive areas of public open space activated by the amenity walkway that runs through them.
- Areas of wetland / grassland and scrub are fully accessible to residents and integrated into the public amenity area. The wetland / grassland forms part of the SuDS natural drainage solution, and inclusion of same in the calculation of public open space is allowed under the Sustainable Residential Development and Compact Settlements Guidelines 2024.
- The proposal includes the construction of a greenway (cycle/pedestrian) route along the southern boundary of the site, facilitating a future link eastwards

across the existing railway bridge, representing a positive improvement in wider area.

Inadequacy of Assessments

- The EIA screening exercise was conducted in accordance with the requirements of Class 15 of the Planning and Development Regulations 2001, as amended, for sub-threshold developments, considering the potential for significant environmental effects. The screening was informed by all relevant guidance, legislation and directives.
- The planning authority confirmed that the screening process gave full consideration to the EIA Directive and concluded that an EIA was not required.

Screening for Environmental Impact Assessment

- Contends that the cited case *Waltham Abbey Residents Association v An Bord Pleanála & Ors (2021)* related to the application of Article 299B to the now defunct SHD process, requiring applicants to submit a statement indicating how the available results of other relevant assessments of the effects of the environment carried out have been considered. Section 3.7 of the submitted EIA screening report provides information to this effect.
- The EIA screening process was comprehensive, appropriately documented, and consistent with EIA legislative requirements and was accepted as such by the local authority.

Negative Impact on Property Values

- No evidence is present by the appellant to substantiate that the proposed development will have negative impact on the value of adjoining properties.
- Rather than diminishing value, well-designed, policy compliant developments such as this have been shown to enhance the character and vitality of an area.

Planning History

- Appellant refer to a 1983 Board decision to refuse permission for development on the site.

- The permission is over 40 years old and was assessed under an entirely different policy, infrastructural and demographic context. It has no bearing on the current application.
- Any concerns relating to Oakfield Road have been addressed in the submitted Traffic and Transport Assessment (TTA).

7.3. Planning Authority Response

A response was not received within the statutory timeframe.

7.4. Observations

7.4.1. 16 no. observations were received, all of which are from residents of properties on Oakfield Road. The grounds of the observations are similar to those raised in the appeal and generally relate to traffic and road safety, density of development, location of apartment buildings at the interface with Oakfield Road and loss of vegetation. To avoid repetition only additional concerns raised are summarised below.

- Application was incorrectly validated by the local authority, referring to inaccuracies and misleading dimensions on drawings, including ground / finished floor and ridge levels.
- Land was zoned Strategic Land Reserve at the time of lodgement. Permission should be refused on that basis.
- Proposal is at odds with the character of the adjoining residential area. Apartment blocks should be replaced with houses.
- No interface with the street on the northern edge (Units 01 / 02).
- Queries the need for apartments when there are empty apartments in Sligo town.
- Concerned with noise pollution from the proposed apartments.
- Inadequate drop-off / pick-up strategy for proposed creche.
- Concern in relation to overlooking of creche play space from apartments overhead.

- Lack of pedestrian connectivity from the western side of Oakfield Road through to the areas of public open space and playground.
- No connectivity between proposed cycle /footpath and remaining length of Oakfield Road to the south, resulting in road safety concerns.
- Replacing picturesque country lane with town centre bypass approach.
- Social housing should be pepper-dotted throughout the estate.
- Surface water run-off will further deteriorate the road surface condition of Oakfield Road.
- How is the removal of hedgerow in keeping with urban environmental issues recently passed by the EU Nature Restoration Law.
- Planners are not qualified to assess ecology and biodiversity aspects of the application.
- Further information was requested in respect of nesting patterns. This could not have been carried out over the FI response period (which was over Winter).
- Impact of construction phase on structural integrity of existing dwellings. Develop shall indemnify all residents of Oakfield Road for any claims for loss or damages during construction. Pre-commencement surveys of dwellings to take place and vibration monitors to be placed on dwellings.

7.5. Further Responses

None

8.0 Assessment

Having examined the application details and all other documentation on file, including appeal submissions, the reports of the local authority, having inspected the site, and having regard to the relevant local policies and guidance, I consider that the substantive issues in this appeal are as follows:

- Principle of Development
- Quantum of Development

- Design, Layout and Height
- Public Open Space
- Residential Amenity
- Traffic, Access and Car Parking
- Biodiversity
- Other Matters

In respect of the proposed development, I have carried out a screening determination for Appropriate Assessment (AA) and a screening determination for Environmental Impact Assessment (EIA) which are presented in sections 9.0 and 10.0 below.

8.1. Principle of Development

- 8.1.1. An observer to the appeal contends that the application should be refused on the basis that the land was zoned 'Strategic Land Reserve' at the time of lodgement.
- 8.1.2. The LRD meeting with the planning authority (held on 7th February 2024), the associated and subsequent planning authority LRD Opinion (dated 1st March 2024) and the planning authority's initial assessment of the application as lodged (planner's report dated 12th July 2024) were based on the provisions of the Sligo County Development Plan (CDP) 2017-2023, as varied and extended, and, by association, land use zonings and objectives for Sligo town as contained in the Sligo and Environs Development Plan 2010-2016, as varied and extended, and not the Sligo Town Plan and associated zoning and objectives maps now contained under Chapter 10 (Urban Development) in the CDP 2024-2030.
- 8.1.3. Referring to the LRD Opinion issued to the applicant (copy on file), the planning authority was satisfied that notwithstanding the identification of the land as 'Strategic Land Reserve' under the Sligo County Development Plan (CDP) 2017-2023 / Sligo and Environs Development Plan 2010-2016, as varied and extended, the land was zoned '*R3 - medium/high-density residential areas*' under the same Plan, the zoning objective for which is to '*Promote the development of housing within a gross density range varying between 35 and 50+ dwellings per hectare (14 to 18+ dwellings per acre)*', therefore consistent with the criteria for an LRD application as per Section 32A of the Planning and Development Act 2000, as amended. An LRD meeting took place

on the 7th February 2024 and in respect of which an LRD Opinion was issued on the 1st March 2024 stating that the documents that had been submitted constituted a reasonable basis on which to make an application for permission for the proposed LRD subject to specific further consideration and amendment. Having obtained an LRD Opinion, the applicant proceeded to lodge the LRD application, which was accepted and validated by the planning authority. On this basis, I am satisfied that due process was followed by the applicant and planning authority.

- 8.1.4. The application, as lodged, included a Statement of Consistency with the Sligo County Development Plan (CDP) 2017-2023 and the draft Sligo County Development Plan 2024-2030. The further information submitted by the applicant on 22nd November 2024 acknowledges the subsequent adoption of the CDP 2024-2030 and provides an updated Statement of Consistency in respect to same.
- 8.1.5. The planning authority's assessment of the further information submitted (planner's report dated 12th February 2025) also acknowledged that CDP 2024-2030 took effect in the intervening period and provides an assessment of the application against the pertinent provisions of the new CDP including the land use zoning. The planning authority's decision was based on the current CDP 2024-2030.
- 8.1.6. For the purposes of clarity, my assessment is based on the relevant policies and objectives of the current County Development Plan, 2024-2030.

Core Strategy

- 8.1.7. The revised NPF 2025 and the Northern and Western Regional Assembly RSES (2020) identify Sligo as a Regional Growth Centre, having a key role in the growth of the region. Specifically for Sligo Town, Regional Policy Objective RPO 3.7.42 of the RSES prioritises new residential and employment related development on greenfield sites in the areas served by the Western Distributor Road at Caltragh and Oakfield, with the Caltragh area, which includes the appeal site, identified as a Strategic Growth Area for residential development. By association, Section 4.3 of the County Development Plan refers to the strategic growth areas identified in the RSES, with Policy SP-RGC-1 seeking support population, housing and employment growth in Sligo Regional Growth Centre, to achieve the targets set in the RSES.
- 8.1.8. As per Table 3.1 (County Settlement Hierarchy) of the current County Development Plan, and reflecting the NPF and the RSES, Sligo Town is identified as a Regional

Growth Centre, the only town in the county at this settlement level 1, the strategy for which is to facilitate strong housing and population growth. Policy SP-S-1 seeks to pursue the accelerated and compact development of the town as an economic driver for the North-West region, whilst Policy SP-HOU-1 encourages a supply of housing that is consistent with the Core Strategy and supports the creation of sustainable communities.

- 8.1.9. The Core Strategy (Table 3.2) outlines a housing allocation of 2,649 no. units for Sligo Town to 2030, to cater for c. 23% target population growth over the 2022 Census figure.
- 8.1.10. On the basis of the above, I consider the proposal is acceptable in principle on the basis that the NPF, RSES and County Development Plan places significant emphasis on the growth of Sligo as a Regional Growth Centre with the Core Strategy making provision for significant population growth; and a priority for residential development on the appeal site in the context of its location within the Caltragh Strategic Growth Area.

Zoning

- 8.1.11. Under the current County Development Plan, the appeal site is zoned '*nRES-New Residential Uses*'. Under the Zoning Matrix at Section 10.5.4, '*Residential – Houses*', '*Childcare facility*' are shown as being use types that are normally permitted on land zoned '*nRES – New Residential Uses*'. The Town Plan for Sligo Town (Chapter 10 of the County Development Plan) states that sites zoned RES are presumed to be developed exclusively for housing.

As outlined under Section 6.6 of this report, the red line also extends north on Oakfield Road and Larkhill Road. The piece of land within the red line at this location is identified on the Sligo town zoning map as being part of the public road and is therefore not zoned. All development within this section of the site relates to service connections and road / footpath works.

- 8.1.12. On the basis of the above, I consider that the proposal is consistent with the zoning objective for the site.

8.2. Quantum of Development

Density

- 8.2.1. Grounds of appeal include that the proposed density is higher than that stated by the applicant by virtue of the extent of areas excluded from the calculation and as such the proposal constitutes an over development of the site in the context of the character of the area, public transport capacity and the availability of services and facilities.
- 8.2.2. With regards density, the appellant refers to the *Sustainable Urban Housing Design Standards for New Apartments, Guidelines for Planning Authorities 2023*. Whilst these guidelines do provide guidance on density, the *Sustainable Residential Development and Compact Settlements Guidelines for Planning Authorities 2024* (Compact Settlements Guidelines 2024) take precedence on this matter. As such, from a density perspective I will base my assessment on the Compact Settlements Guidelines 2024 with reference also to the County Development Plan.
- 8.2.3. Policy P-UHOU-2 of the County Development Plan seeks to ensure that appropriate densities are achieved in appropriate locations and circumstances, and in accordance with the principles set out in relevant national guidance including the Sustainable Residential Development and Compact Settlements Guidelines (2024).
- 8.2.4. Section 3.2.6 of the County Development Plan states that for the Sligo Regional Growth Centre recommended net densities range from 50 - 150 dwellings per hectare (dph) in the town centre, to 35 - 50 dph at the edges or in new suburban extensions.
- 8.2.5. The Town Plan for Sligo Town (Chapter 11 of the County Development Plan) identifies the appeal site as being part of a larger 'Settlement Consolidation Site', located generally west of the railway line and north of Western Distributor Road, amounting to a total of 16.2ha, with a potential housing yield of 567 no. dwellings, at an average density of 35 dph.
- 8.2.6. Table 3.4 of the Compact Settlements Guidelines 2024 outlines two area types for Regional Growth Centres, along with a density range for each, namely

1. Regional Growth Centre - Centre and Urban Neighbourhood

The centre and urban neighbourhoods category includes: (i) the town centre and immediately surrounding neighbourhoods and (ii) strategic and sustainable development locations that are within the existing built-up footprint. It is a policy

and objective of these Guidelines that residential densities in the range 50-150 dph (net) shall generally be applied in centres and urban neighbourhoods.

2. Regional Growth Centre - Suburban/Urban Extension

Suburban areas are the low-density car-orientated residential areas constructed at the edge of the town, while urban extension refers to greenfield lands at the edge of the existing built-up footprint that are zoned for residential or mixed-use (including residential) development. It is a policy and objective of these Guidelines that residential densities in the range 35 dph to 50 dph (net) shall generally be applied at suburban and edge locations of Regional Growth Centres, and that densities of up to 100 dph (net) shall be open for consideration at 'accessible' suburban/urban extension locations (as defined in Table 3.8).

- 8.2.7. It is a Policy and Objective (3.1) of the Compact Settlements Guidelines 2024 that the recommended residential density ranges are applied in the consideration of individual planning applications.
- 8.2.8. Having regard to the greenfield nature of the site on the edge of the built-up area of Sligo Town, I consider that the site falls within the area type of Suburban/Urban Extension, therefore a net residential density range of 35 to 50 dph is applicable.
- 8.2.9. The appeal contends that the net site area / buildable residential area is inaccurate for the reason that the calculation takes account of incidental areas and narrow tracts of land that cannot reasonably be described as public open space, such as the space between the apartment blocks and combined cycle/ pedestrian path and inaccessible scrubland and wetlands. Appendix B of the Compact Settlement Guidelines 2024 provides guidance on measuring residential density, with Table 1 setting out elements of a development that should be included and those that should be excluded from the net site area. Areas that can be included in the net site area calculation include local parks and all areas of incidental open space and landscaping, while areas that should be excluded from the net site area calculation include major road/streets such as arterial streets and link streets, lands for primary schools, churches and other community services and facilities, other areas of land that cannot be developed due to environmental sensitivities including lands that are subject to flooding.

- 8.2.10. In the context of the above, I consider that the net site area / buildable residential area calculated by the applicant is acceptable having excluded the land along the western boundary which is being made available to facilitate future active travel improvements to Oakfield Road and also a localised area of the site identified by OPW as being prone to seasonal 'fluvial flooding'. The childcare facility could also be excluded however this is being provided at ground floor level of a three-storey building with apartments overhead, therefore, in my view, it would be illogical to exclude the underlying land footprint.
- 8.2.11. The proposed scheme comprises 207 no. dwellings on a site with an area of 6.168ha. In terms of the 'Buildable Residential Area', there is a discrepancy between figures shown on the submitted Site Layout Plan and those outlined in all other submitted documentation, with the former stating 5.67ha (equating to a density of 36.5 dph) and the latter (all other documents) stating 5.38ha (equating to a density of 38.5 dph). The stated area in the Architectural & Urban Design Statement includes specific reference to the excluded elements of the site, with the same figure being referred to in the applicant's Statement of Consistency and, more recently, the response to the appeal. Considering its extensive use in documentation, I am of the view that the correct density figure is 38.5 dph. Notwithstanding the discrepancy, the proposal falls within the applicable density range for Regional Growth Centre - Suburban/Urban Extension sites as per the Compact Settlements Guidelines, 2024.
- 8.2.12. The appellant further contends that the proposed density of development is excessive by reason of the absence of a high frequency public bus service accessible to the site. Referring to the provisions relating to Regional Growth Centres under the Compact Settlements Guidelines 2024, access to a high frequency public bus service is criteria to be met only where a density upwards of 100 dph is proposed on edge of town / Suburban/Urban Extension sites. Given the proposed net density of c. 38.5 dph, being within the 35 to 50 dph range, consideration of public transport accessibility is not a material consideration and, as outlined above, the provisions of the Apartment Guidelines 2023 in respect of accessible and less accessible urban locations do not apply.
- 8.2.13. Notwithstanding the provisions of the Compact Settlements Guidelines 2024 in this regard, I am of the view that the site is sufficiently connected to local services and facilities and the town centre, with public bus services operating on Maugheraboy

Road and the R242 Knappagh Road to the north, and in terms of active travel, the development would link in to the existing footpath network to the north (with reference to a recommendation of the Road Safety Audit), also via a future greenway pedestrian / cycle connection east via an existing railway bridge (with reference to map based objective SO-GC-1), and a future footpath and cycle connection south to the Western Distributor Road (with reference to active travel proposals under the Sligo Local Transport Plan). The site is also identified as a Tier 1 site within the Infrastructural Assessment contained in Appendix 1 of the County Development Plan.

Unit Mix

- 8.2.14. The Compact Settlements Guidelines 2024 does not provide a unit mix standard rather directs planning authorities to rely on the provisions of its County Development Plan and associated Housing Need and Demand Assessment. Policy P-UHOU-4 of the County Development Plan, a policy which derives from the recommendations of the Housing Strategy / House Need and Demand Assessment which forms part of the County Development Plan, seeks to ensure the provision of a suitable range of house types and sizes to reflect the changing demographic structure and the trend towards smaller household sizes and that in private housing schemes, the following mix of unit types should generally apply:

House type	Proportion in the scheme
1 bedroom	minimum 10% of total no. of units in any scheme with 10 or more units
2 bedrooms	minimum 20% of total no. of units
3 bedrooms	minimum 30% of total no. of units
4+ bedrooms	maximum 20% of total no. of houses

- 8.2.15. The proposed development comprises 207 no. dwelling units, with a mix of 21 no. 1-bed units, 41 no. 2-bed units, 103 no. 3-bed units and 42 no. 4-bed units. This equates to 10% 1-bed, 20% 2-bed, 50% 3-bed and 20% 4-bed units. I am satisfied that the proposal in respect of mix is consistent with Policy P-UHOU-4 in this regard.

Apartment and House Standards

- 8.2.16. A submitted Housing Quality Assessment shows that the proposed apartment units reach and exceed the minimum standards for overall unit size and room sizes as set out in the Apartment Guidelines (updated 2023), and similarly that the proposed

houses are consistent with the standards set out in the Design Manual for Quality Housing, Department of Housing, Local Government and Heritage, 2023. I am satisfied that the proposal is acceptable in this regard.

- 8.2.17. In terms of aspect, SPPR 4 of the Apartment Guidelines (updated 2023) requires that a minimum of 50% of apartments be dual aspect for developments in a suburban location. In this case, all but 1 no. unit are minimum dual aspect, substantially exceeding the requirement of SPPR 4 in this regard. The 1 no. single aspect apartment (Unit 1, Block N) is east facing. I am satisfied that the proposal is acceptable in this regard.

Conclusion

- 8.2.18. On the basis of the foregoing, I consider the quantum of development proposed is consistent with Section 3.2.6 of the County Development Plan which recommends a net density range 35-50 units/ha at the urban edges or in new suburban extensions of Sligo Town as a Regional Growth Centre, and, by association, consistent with Policy P-UHOU-2 of the County Development Plan which seeks to ensure that appropriate densities are achieved in appropriate locations and circumstances and in accordance with the Sustainable Residential Development and Compact Settlements Guidelines, 2024. I am satisfied that the proposal represents a suitable form of development at an appropriate residential density, contributing to an increased provision of new homes of the required standard and a greater mix and variety of residential typologies available for Sligo Town.

8.3. Design, Layout and Height

- 8.3.1. A primary concern of the appellants and observers relates to the design and height of the proposed development with respect to the 3 no. apartment buildings interfacing with Oakfield Road, contending that this element of the proposal, by reason of dwelling typology and building height is out of character, overly dominant and visually obtrusive. The appeal considers it more appropriate to concentrate this higher density element of the proposal closer to the areas of public open space or alternatively towards the north of the site closer to the existing built-up area and services / facilities.
- 8.3.2. In considering this ground of appeal, I have reviewed the applicant's Architectural and Urban Design Statement, all plans, elevations, and cross-sections of the proposal,

including plans submitted at further information stage, the pre-planning consultations and LRD Opinion, and reports of the planning authority.

- 8.3.3. It is evident from same that extensive design work has been undertaken through the pre-planning process by the parties to agree an appropriate architectural approach to developing the site and to secure a high-quality design solution for the proposal, including completion of a footpath connection on Oakfield Road north of the site and provision of suitable sized setback on Oakfield Road.
- 8.3.4. The planning authority found the design, layout and building heights proposed to be acceptable and no conditions are attached amending same, albeit requiring modifications to the landscaping plan at further information stage.
- 8.3.5. The County Development Plan does not set out a maximum building height. Policy P-UHOU-2 seeks to ensure that appropriate densities are achieved in appropriate locations and circumstances, in accordance with the principles set out in the Sustainable Residential Development and Compact Settlements Guidelines (2024) and the Urban Design Manual: A Best Practice Guide (DEHLG, 2009) and Urban Development and Building Height Guidelines for Planning Authorities (2018).
- 8.3.6. Section 3 of the Building Height Guidelines 2018 acknowledges that to achieve compact growth, it will also be necessary to increase the scale of new buildings in all parts of cities and towns, with highest densities at the most central and accessible urban locations.
- 8.3.7. The appeal site is located in an area that is predominantly two-storeys in height, whilst also noting the Part 8 housing scheme under construction immediately east of the railway line, visible from the site, which includes three-storey apartment blocks with ridge heights of up to c. 13m.
- 8.3.8. The most prominent element of the proposed development is at its interface with Oakfield Road and by association the existing dwellings fronting the road on its western side. The existing road will be interfaced by 4 no. blocks of two-storey terraced dwellings (house type E, F and K) on the southern half of the site and 3 no. three-storey apartment blocks and the side elevation of a semi-detached dwelling (house type A) on the northern half.
- 8.3.9. House types A, E, F and K all have a pitched roof height of 9.67m and are all of similar design and material finishes, with elements of brick and render on the front elevation.

The 3 no. proposed apartment blocks are all generally of the same design with the only distinguishing factors being the building width along the road interface and thus the number of units accommodated (Block L: 18 units; Block M: 24 units; Block N: 16 units) and also relative height above ground level given that the site rises from north to south. Each block has a pitched roof (ridge height c. 11.97m) with a modulated front elevation including parapet height bay sections projecting above the eaves level. Material finishes include alternate sections of brick and render. The roofs to the apartment blocks have a shallow pitch relative to the proposed dwellings by association with the greater apartment block depth.

- 8.3.10. The dwellings and apartment blocks generally follow a similar building line with a setback of between c. 11.5m and c. 26m from the edge of Oakfield Road. The intervening space will comprise a landscaped public realm including combined cycle / pedestrian track together with a 'home zone' access road and car parking to the front of the dwellings. The apartment blocks would be set back between c. 30m and c. 35m from the front elevation of existing dwellings on the western side of Oakfield Road.
- 8.3.11. I note that the western side elevation of Unit 1 (house type A) located in the northwest corner of the site interfaces with Oakfield Road and that this elevation lacks any positive degree of articulation to provide an active public interface. This point was raised by an observer to the appeal. The proposal does include a house type B for such public interfaces, comprising side access and greater fenestration on the gable. If the Board is minded to grant permission, I recommend that a condition is included which requires Unit 1 to be redesigned to provide a double fronted house.
- 8.3.12. In addition, but closely related, to the concern of the residents in respect of the location of the apartment blocks is the proposal to remove the entire existing boundary treatment on the east side of Oakfield Road. It is proposed to construct a combined cycle and pedestrian track along the interface with the road along with soft landscaping.
- 8.3.13. With respect to the apartment block design and relationship with Oakfield Road, the submitted Architectural and Urban Design Statement refers to the apartment buildings serving an important urban design function to provide a strong edge to the public realm in tandem with the proposed / future widening of Oakfield Road for active travel; and

also seeking to create a traditional streetscape by including own-door access to ground floor level apartments on the front / street elevation.

- 8.3.14. I consider the proposed interface with Oakfield Road to be of an acceptable scale and height in the context of the receiving environment, creating a strong urban edge to Oakfield Road and with a sufficient setback from the road and dwellings to the west to allow an acceptable transition in building height. By reason of design, including the use of a shallow pitch roof, the proposed apartment buildings are not substantially higher than the proposed two storey dwellings, which are, themselves, designed to accommodate attic level accommodation. Furthermore, by virtue of the natural site topography, the terraced dwellings south of the apartment blocks will have finished floor levels of between c. +27.1m and +28.00m compared to the apartment blocks at between +25.4m (block L) and +26.7m (southern half of Block N), thus allowing the height difference to be sufficiently absorbed within the site and streetscape.
- 8.3.15. From a functional perspective, I consider that the location of the apartment blocks is acceptable. The occupants of the apartments will have convenient access to the combined cycle and pedestrian track adjacent to Oakfield Road and, similarly, ease of access to the areas of public open space to the east.
- 8.3.16. An observer to the appeal raised a concern with respect to the outdoor play area associated with the proposed crèche being located directly below apartment balconies in the context of overlooking and child security. I consider that the location and layout of the proposed crèche facility to be acceptable. The management of the crèche is subject to separate legislation. On a separate matter, the submitted phasing plan shows that the crèche would be constructed as part of Phase 3, which in effect means that 71 houses (Phase 1 and 2) would be constructed prior to this stage commencing. I consider the phasing in this regard to be acceptable.
- 8.3.17. Further to the planning authority's assessment, I consider that the architectural approach and design process for the scheme has had regard to the policy context established at national level for compact growth and building height, to the character of the receiving area and the proximity of surrounding buildings, incorporated sufficient setbacks from site boundaries and achieved adequate separation distances to adjacent residential properties and avoided any adverse impact on same, consistent with Policy P-UHOU-2 of the County Development Plan.

Conclusion

8.3.18. In conclusion, I am satisfied that the design and layout of the proposal is acceptable in terms of scale and design, including building height. I am satisfied that the proposed development is an appropriate design solution for this site, provides a strong urban edge and will not have undue impacts on the visual amenities of the receiving area.

8.4. Public Open Space

- 8.4.1. Ground of appeal include that the provision of public open space is below the 10% required by the County Development Plan, for the reason that some areas including narrow tracts of land cannot reasonably be described as public open space, such as the space between the apartment blocks and combined cycle/ pedestrian path, inaccessible scrubland and wetlands.
- 8.4.2. The applicant's response outlines that public open space at 15% of the relevant site area is proposed, excess of the 10% minimum required under the County Development Plan and Sustainable Residential Development and Compact Settlements Guidelines 2024.
- 8.4.3. Policy and Objective 5.1 of the Compact Settlement Guidelines 2024 sets out that the requirement in a development plan shall be for public open space provision of not less than 10% of net site area and not more than 15% of net site area.
- 8.4.4. The County Development Plan is consistent with the Compact Growth Guidelines requiring that a minimum of 10% and a maximum of 15% of the net site area shall be reserved for the provision of communal open space, landscaped to a high standard. Section 33.3.7 of the County Development Plan states that public open space should form an integral part of the design and layout of a development and provide a connected hierarchy of spaces whilst Policy P-UH-OS-2 requires that significant hedgerows, tree groups and wetlands are incorporated into residential developments where possible.
- 8.4.5. The site layout plan includes different forms of open space, including 3 no. relatively large amenity spaces with a total area c. 6,575sq.m. Theses amenity spaces provide passive and active amenity and include retained hedges, scrub and wetlands, and also proposed grassed areas and tree planting, circulation routes and a playground consistent, in my view, with the definition of public open space provided in Appendix

A of the Compact Settlements Guidelines 2024. The total area of these larger amenity spaces exceeds the 10% minimum required. Additional provision of open space is identified throughout the development including communal and pocket amenity spaces and landscaped linear walkways. The total provision of public open space is stated as being c. 8,675sq.m or c. 15% of the net site area.

- 8.4.6. An observer raises concern with respect to pedestrian connectivity between Oakfield Road and the proposed areas of public open space including the playground, contending that pedestrians will be required to walk through the landscaped area to the front of the development. I consider that the development is suitably designed to allow pedestrian connectivity and permeability through the site from Oakfield Road. The proposal includes the provision of a new pedestrian crossing on Oakfield Road immediately north of the site, with drawings indicating that details of same would be agreed with the local authority prior to construction.
- 8.4.7. On the basis of the foregoing, I consider that the provision and layout of public space is acceptable, consistent with Section 33.3.7 and Policy P-UH-OS-2 of the County Development Plan and Policy and Objective 5.1 of the Compact Settlement Guidelines 2024.

8.5. Residential Amenity

- 8.5.1. Concern was raised in third party appeals with respect to loss of privacy and outlook by reason of the proximity of the 3 no. apartment blocks to existing residential properties on the west side of Oakfield Road.

Overbearing

- 8.5.2. In terms of overbearing / loss of outlook, the 3 no. three-storey apartment blocks would be positioned along the western interface with Oakfield Road, thus facing the front elevations of existing dwellings on the west side of Oakfield Road. As outlined in the previous section, the apartment buildings have a pitched roof height of c. 11.97m, which, in my view, is acceptable when considered in the context of the proposed setback from the existing dwellings and height transition achieved. The scale of the apartment blocks in terms of width is also a consideration. The apartment blocks have a principal width of c. 43.69m (Block L and N) and c. 56.56m (Block M). By reason of height, setback, intervening land uses and landscaping, I consider that the scale of the

apartment blocks are acceptable and would not be unduly overbearing to result in a loss of outlook to adjoining residential properties on Oakfield Road.

Overlooking

- 8.5.3. In terms of overlooking and perceived loss of privacy, SPPR 1 in the Compact Settlement Guidelines requires that a separation distance of at least 16m between opposing windows serving habitable rooms at the rear or side of houses, duplex units and apartment units, above ground floor level shall be maintained. In this case, the apartment blocks will face the front elevation of dwellings on the opposite side of Oakfield Road, therefore there is no instance on this interface of opposing rear or side windows. Notwithstanding the above, separation distances between the western elevation at first and second floor levels of the apartment blocks and front elevations of opposing dwellings on western side of Oakfield Road range from c. 30m and c. 35m. Furthermore, balconies / terraces serving above ground floor level apartments are located on the east, south or north elevations, with terraces across the western elevation fronting Oakfield Road, which has the effect of minimising any perceived loss of amenity to existing residents by reason of overlooking.
- 8.5.4. There is also a sensitive interface along the northern boundary of the site, with the site interfacing with the rear gardens of dwellings which front Maugheraboy Road to the north. The majority of the existing dwellings have rear gardens of substantial depth, with minimum separation distances as per SPPR 1 easily achieved. Notwithstanding this, the site plans shows that rear garden depths of new dwellings at this interface are SPPR 1 compliant, a measure which avoid jeopardising future backland / infill development to the north. On this basis, I am satisfied that the proposal is consistent with SPPR 1 of the Compact Settlements Guidelines 2024.

Daylight and Sunlight

- 8.5.5. Section 33.2.2 of the County Development Plan also refers to the need to assess impact in terms of loss of daylight and sunlight, stating that if a technical assessment of daylight performance is considered necessary, regard should be had to the provisions outlined in guides like A New European Standard for Daylighting in Buildings (IS EN17037:2018), UK National Annex BS EN17037:2019 and the associated BRE Guide 209 2022 Edition (June 2022), or any relevant future standards

specific to the Irish context. This section of the County Development correlates directly with the provisions of the Compact Settlements Guidelines 2024.

- 8.5.6. The applicant submitted a Daylight and Sunlight Assessment and Shadow Analysis Report based on the aforementioned standards. I consider that the submitted Daylight and Sunlight Assessment is sufficiently robust for assessment of the daylight and sunlight that would be received by the proposed apartments and the impacts of the building on the existing daylight and sunlight received by existing residential properties in the vicinity.

Internal Daylight, Sunlight and Overshadowing

- 8.5.7. This applicant's study assessed the Spatial Daylight Autonomy (SDA) in all habitable rooms across the 3 no. apartment blocks. The study refers to 52 no. apartments however the drawings on which the daylight assessment was conducted (Section 6.2 of the study report) are consistent with the application drawings (58 no. apartments). All of the assessed residential rooms met their recommended SDA Criteria minimum value, being either a minimum or in excess of 100 lux for bedrooms or 200 lux for combined Living/ Kitchen/ Dining areas. The study concludes that the overall compliance rate with BRE criteria across the apartment blocks is 100%.
- 8.5.8. In terms of sunlight, a sunlight exposure assessment was carried out on all habitable rooms within the residential portion of the proposed development. The assessment shows that 100% of the proposed 58 no. apartment units meet the criteria for sunlight exposure as set out in the BRE Guidelines.
- 8.5.9. This study also assessed the level of sunlight on March 21st within the proposed amenity areas and the results demonstrate that all spaces will greatly exceed the criteria as set out in the BRE Guidelines.

External Daylight, Sunlight and Overshadowing

- 8.5.10. In terms of daylight, Section 2.4.1 of the applicant's assessment notes that if a new development is a distance of more than three times its height away from the lowest neighbouring window or a new development does not subtend more than 25-degrees at lowest window, then for neighbouring windows "daylighting unlikely to be significantly affect" and further levels of detail testing are not required.

- 8.5.11. The sectional results (relating to the relationship with existing dwellings to the west and north) demonstrate that no part of a new building, measured in a vertical section perpendicular to a main window wall of an existing building, from the centre of the lowest window, subtends an angle of more than 25 degrees to the horizontal. The assessment concludes that the development would have a negligible effect to the daylight the neighbouring windows would be able to receive and therefore the proposed development is in compliance with the BRE guidance.
- 8.5.12. In terms of sunlight, the BRE Guidelines recommend that for a garden or amenity area to appear adequately sunlit throughout the year, at least half the area should receive at least two hours of sunlight on March 21st. The assessment concludes that properties within the study area (all adjacent properties) would experience a negligible level of effect with all gardens retaining well in excess of the BRE requirements of at least 2 hours of sunlight to 50% of the garden at the Spring Equinox
- 8.5.13. On the basis of the foregoing, the submitted Daylight and Sunlight Assessment demonstrates that the value of daylight and sunlight received by the proposed apartments and that the impact of the proposed building on the value of daylight and sunlight experienced by existing residential properties in the vicinity are above the minimum values set out in the relevant guidance. I consider therefore that the proposal in this regard is consistent with the Compact Settlements Guidelines 2024 and, by association, consistent with Section 33.2.2. of the County Development Plan.

Noise

- 8.5.14. An observer to the appeal also contends that noise pollution from the apartments would impact on the residential amenity of existing residents on Oakfield Road. The proposal is for the construction of a residential development. The use of the development, including the apartments, will likely result in noise impacts associated with the increased intensity of the use of the land (e.g., traffic generation, use of communal and private open spaces). However, these are anticipated to be typical of such mid-scaled, mid-density residential schemes, as proposed and I do not consider this aspect of the project likely to result in significant effect on the amenity of nearby residents. Furthermore, the absence of balconies / terraces on the western elevation of above ground level apartments is a design measure that lessens any perceived loss

of amenity, by reason of noise pollution, to existing dwellings on the west side of Oakfield Road.

Conclusion

- 8.5.15. By reason of layout and design, including building heights and separation distances, I consider that the proposed development would not result in any undue loss of amenity to adjoining properties including by reason of overlooking, overbearing impact or noise pollution, nor loss of daylight or sunlight.

8.6. Traffic, Access and Car Parking

Traffic Generation

- 8.6.1. The appeal and observations on same contend that Oakfield Road is at capacity and that the additional traffic generated by the proposed development would result in a traffic hazard.
- 8.6.2. In a response to the appeal, the applicant refers to the submitted Traffic and Transport Assessment (TTA) which demonstrates that the proposal will not adversely affect the operational capacity of the road and associated relevant junctions as they currently exist.
- 8.6.3. In terms of road capacity, the submitted TTA, updated at further information stage, included traffic analysis of the existing Ballydoogan Roundabout (to the north), Maugheraboy Roundabout (to the south) and junction between Oakfield Road and Oakfield Park (to the south) with the proposed development in place to determine if the junctions will operate within capacity when the development is constructed and fully occupied in 2025, five years after opening in 2030 and fifteen years after opening in 2040.
- 8.6.4. The analysis is based on traffic counts at the Maugheraboy Roundabout, Ballydoogan Roundabout and at the Oakfield Road / Oakfield Park priority junction conducted on Wednesday 17th May 2023. The traffic counts were carried out during the school term between the hours of 7.30am and 9.15am in the morning and between 4.30pm and 6.00pm in the evening. Supplementary traffic counts were carried out on Oakfield Road at the proposed development site entrance on Tuesday 10th September 2024 to record traffic volumes, pedestrian movements and cyclists over a 12-hour period

between 07.00am and 7.00pm during the school term. The weather during the traffic counts was recorded as being dry with occasional light showers

- 8.6.5. The results of the analysis show that the junctions will not exceed the 0.85 ratio of flow to capacity (RFC) value during the AM or PM hours in 2025, 2030 and will continue to operate with reserve capacity beyond 2040 (noting that an RFC value of 1.0 indicates that the junction is operating at full capacity with a value of 0.85 considered to be the maximum RFC value after which the junction will begin to experience some capacity issues). The results of the Traffic and Transport Assessment show that the traffic generated by the proposed residential development will not impact adversely on the public road network.

Road Improvement Works

- 8.6.6. Grounds of appeal also include that the proposal is premature pending the completion of road improvement works to Oakfield Road and that by reason of the alignment and width of the road, the location of the proposed entrances, particularly the southern entrance, would result in a traffic hazard. The appellant specifically refers to a 'blind bend' close to the southern entrance.
- 8.6.7. In a response to the appeal, the applicant strongly contends that the proposal is not reliant on any upgrade works and that the future improvement works to Oakfield Road relate to active travel upgrades (walking and cycling) rather than width or capacity related concerns.
- 8.6.8. Section 6.2.4 of the Local Transport Plan for Sligo town, adopted as part of the CDP 2024-2030, relates to a proposed secondary two-way cycling network and includes a proposal to introduce improvements for active travel connectivity on Oakfield Road in line with schemes currently under development. Objective SO-TRA-5 of the CDP gives effect to this. The aforementioned active travel improvements planned for Oakfield Road appear to have been considered at pre-planning stage in conjunction with the local authority noting that the proposed combined cycle/pedestrian track to be constructed as part of the proposal would indicatively integrate with a future extension south to the Western Distributor Road.
- 8.6.9. In terms of road safety and visibility, the applicant's '*Design Manual for Urban Roads and Streets (DMURS) Design Statement*' prepared by the project engineer, states that visibility splays in accordance with DMURS are provided at the priority junctions

leading to the development on Oakfield Road for the safety of drivers entering and exiting the development. As outlined earlier in my report, the proposal includes the removal of the entire existing boundary treatment on the east side of Oakfield Road with the land adjacent to the road to comprise a combined cycle / pedestrian track and an intermediate setback retained. As such, the proposed works to the road interface has the effect of providing sufficient sightlines for the two new priority junctions to serve the development.

- 8.6.10. On the basis of the above, I am satisfied that the proposed development is not premature pending any road upgrade. I am also satisfied that the traffic generated by the proposed scheme would not have an adverse impact on the capacity of the surrounding road network as it currently exists and would not result in a traffic hazard by reason of the location of the proposed priority junction.

Car Parking

- 8.6.11. Grounds of appeal include that the rate of car parking provided is too low and that in the absence of a high frequency bus service, future occupants will be reliant on private car resulting in an over spill of car parking on the surrounding road network.
- 8.6.12. SPPR 3 of the Compact Settlements Guidelines 2024 relates to residential car parking. As outlined under Section 8.3 of my report, the appeal site falls within the classification of a 'Regional Growth Centre - Suburban/Urban Extension' and by reason of the site not being accessible to a high frequency bus service, the site is not deemed to be 'accessible'. As such, the site falls under an 'intermediate and peripheral location' as per SPPR 3 of the Compact Settlements Guidelines 2024, which states that the maximum rate of car parking provision for residential development, where such provision is justified to the satisfaction of the planning authority, shall be 2 no. spaces per dwelling. SPPR 3 also states that applicants should be required to provide a rationale and justification for the number of car parking spaces proposed and to satisfy the planning authority that the parking levels are necessary and appropriate, particularly when they are close to the maximum provision.
- 8.6.13. Section 33.9.7 of the County Development Plan sets a minimum to maximum range in terms of a car parking requirement for land uses and, as per the Compact Settlement Guidelines 2024, applicants are required to demonstrate that the parking levels are necessary and appropriate, particularly when they are close to the maximum provision.

Table 33.10 outlines that a minimum of 1 and a maximum of 2 car spaces is the standard for a house, while a minimum of 1 and a maximum of 1.5 car spaces is the standard for an apartment.

- 8.6.14. The proposal is for 207 no. dwellings, comprising 58 no. apartments and 149 no. houses (4 no. 2-bed, 103 no. 3-bed and 42no. 4 -bed). Based on the dwelling types proposed, the minimum and maximum car parking standard as per the County Development Plan is 207 no. and 385 no., respectively, and the maximum as per SPPR 3 is 414 no. Referring to the submitted site layout plan, car parking is allocated at a rate of 1 no. space per apartment, 1 no. space per 2-bed house and 2 no. spaces per 3- and 4-bed houses. This equates to a total of 352 no. car spaces. I consider that the provision of car parking is acceptable, consistent with the County Development Plan and SPPR 3. In this regard, I note the submitted Mobility Management Plan and that the proposed quantum and location of secure bicycle parking proximate to the apartment blocks is consistent with SPPR 4 of the Compact Settlement Guidelines 2024.
- 8.6.15. In respect of the proposed crèche, Table 33.10 of the County Development Plan sets out a car parking standard of a minimum of 1 and a maximum of 2 car spaces per staff on duty. The proposed crèche has a stated capacity of 50 no. children comprising 30 no. 2 to 6-year-old children split into two rooms, a third room to facilitate 20 no. 1 to 2-year-old children.
- 8.6.16. The applicant outlines that staff on duty is based on the minimum ratio of 1 staff member to every 11 children participating in the Early Childcare Care and Education (ECCE) programme. Therefore, an estimated 5 staff members would be on duty at one time. 12 no. car spaces are allocated to the crèche, of which 7 no. spaces are designated to drop-off and visitors. As outlined above, the crèche will have capacity for 20 no. 1 to 2-year-old children and 30 no. 2 to 6-year-old children. According to Child Care (Pre-School Services) (No 2) Regulations 2006 and Child Care (Pre-School Services) (No 2) (Amendment) Regulations 2006, the ratio of staff to children for the 1 to 2 year old age group is 1:5, equating to a requirement for 4 no. staff in this case. At a rate 1:11 for children participating in the ECCE, the total staff requirement is closer to c. 7 no. I consider 12 no. car parking spaces acceptable.

- 8.6.17. However, I consider that the absence of a dedicated drop-off area has the potential to cause road safety issue particularly having regard to the car-orientated nature of suburban areas. This issue was raised by an observer to the appeal. If the Board is minded to grant permission, I recommend that a condition is included which requires amended plans to be submitted to the planning authority for agreement showing a suitable crèche drop-off / pick-up area.
- 8.6.18. Table 33.11 of the County Development Plan requires a minimum of one EV charge point space per five car parking spaces and that ducting for every parking space shall be provided. If the Board is minded to grant permission, I recommend that a condition is included to require EV charging points.

8.7. Biodiversity

- 8.7.1. A ground of appeal relates to biodiversity, contending that the submitted Ecological Impact Assessment (EclA) is deeply flawed, that the failure to incorporate existing trees and hedgerow into the layout is a significant flaw, that there is no justification provided for the removal of the western hedgerow and trees, and that the application does not demonstrate a site-specific biodiversity net gain as required by policy P-BD-7 of the County Development Plan.
- 8.7.2. An observer to the appeal refers to the European Nature Restoration Law in the context of hedgerow habitat removal. The European Nature Restoration Law seeks to restore at least 20% of the EU's land and sea areas by 2030 and all ecosystems by 2050. It is a target of the 4th National Biodiversity Action Plan (NBAP) 2023-2030 to publish a National Restoration Plan by 2026, which is to set out the procedures for designation of nature restoration areas and corresponding policies. Whilst this is emerging policy, my assessment of the appeal has regard to current policy documents including the National Planning Framework 2025, 4th National Biodiversity Action Plan (NBAP) 2023-2030 and the current County Development Plan, all of which are inter-related in terms of the emphasis placed on biodiversity.
- 8.7.3. In a response to the appeal, the applicant refers to the EclA carried out and that the landscaping measures including retention of existing hedgerows, scrub and wetlands, will deliver a clear biodiversity gain and enhance the ecological value of the site.

- 8.7.4. Policy P-BD-3 of the County Development Plan seeks to ensure that the ecological impact of all development proposals on habitats and species are appropriately assessed, Policy P-BD-4 seeks to minimise adverse impacts of proposed developments on existing habitats (whether designated or not) by including mitigation and/or compensation measures as appropriate with same to comprise the retention and enhancement of all possible existing habitats, vegetation and breeding sites in the early design stages of the development, and P-BD-7 requires development proposals on sites of 0.5 ha and over to retain existing high quality ecological features and demonstrate a site-specific biodiversity net gain (BNG), indicating how the approach to development will leave the natural environment in a measurably better state than it was beforehand. Section 33.2.12 (Development Management Standards) outlines measures to be taken to achieve a biodiversity net gain.
- 8.7.5. The submitted EclA includes baseline information on the existing vegetation on the site and the ecological significance of same. In accordance with the 'Guidelines for Assessment of Ecological Impacts of National Roads Schemes' (NRA, 2009)', any ecological receptors that are determined to be of Local Importance (Higher Value), County, National or International importance (following the criteria set out in the aforementioned NRA guidelines) are considered to be Key Ecological Receptors (KERs) for the purposes of EclA if there is a pathway for effects thereon. Any receptors that are determined to be of Local Importance (Lower Value) are not considered to be Key Ecological Receptors.
- 8.7.6. The main habitats recorded within the boundary of the proposed development site are classified as Improved Agricultural Grassland (GA1), Scrub (WS1), Recolonising Bare Ground (ED3), Drainage Ditch (FW4), Spoil and Bare Ground (ED2), Wet Grassland (GS4), Buildings and Artificial Surfaces (BL3), and Hedgerow (WL1).
- 8.7.7. Habitat types 'Hedgerows (WL1)' and 'Scrub (WS1)' were determined to be of *Local Importance (Higher Value)*, with the remaining habitats determined to be *Local Importance (Lower Value)*.

Hedgerows (WL1) are assigned Local Importance (Higher Value) as they help maintain links and ecological corridors between features of higher ecological value and are likely to be utilized by commuting and foraging bats and provide nesting and foraging habitat for birds. Further, hedgerows are assigned Local Importance (Higher

Value) due to the presence of native species including Ash (Fraxinus excelsior), Blackthorn (Prunus spinosa), Hawthorn (Crataegus monogyna), Holly (Ilex aquifolium), Goat's Willow (Salix caprea), Elder (Sambucus nigra), and Sweet Cherry (Prunus avium).

Scrub (WS1) is assigned Local Importance (Higher Value) as this habitat helps maintain links and ecological corridors between features of higher ecological value and is likely to be utilized by commuting and foraging bats and provide nesting and foraging habitat for birds.

- 8.7.8. The proposal includes the removal of c. 24 no. trees (8 no. Category B, 15 no. Category C, and 1 no. Category U) located within existing hedgerow habitats and removal of c. 155m of hedgerow. The proposal also comprises the retention of c. 550m of existing hedgerow inside the northern and eastern site boundaries, c. 160m of existing hedgerow running north-south through the centre of the site, c. 420sq.m of existing wetland identified as part of habitat '*Wet Grassland (GS4)*', and c. 520sq.m of existing scrub, identified as part of habitat '*Scrub (WS1)*'.
- 8.7.9. The appeal queries the viability of retaining existing hedgerows along the eastern boundary in the context of rear garden boundary fencing. Submitted plans indicate that the existing hedgerows inside the eastern boundary would be retained and supplemented. Proposed fencing to this boundary comprises concrete posts and timber paneling, therefore minimising the extent of foundations required, which, in my view, is an appropriate treatment to encourage hedgerow growth / survival, compared to a conventional concrete block wall. On the matter of boundary treatment, a submission received by the planning authority from Iarnród Éireann south 2.4m high treatment to the eastern boundary. Revised plans submitted as further information show 2.4m high boundary treatment to the boundary with Iarnród Éireann owned land. I consider this to be acceptable from a residential amenity / safety perspective.
- 8.7.10. Proposed mitigation includes planting of 29 no. native trees within the site and 49 no. native trees along the road interface, c. 200m of native hedgerow along the southern boundary as part of the greenway link between Oakfield Road and the existing railway line bridge, c. 495sq.m of shrubs and wildflowers, and erection of bird / bat boxes and hedgerow shelters to provide roosting / nesting habitats.

- 8.7.11. The EcIA considers the residual effect on the habitats identified as being of *Local Importance (Higher Value)* and concludes that for the hedgerow habitat, there will be no significant residual effect at any geographic scale as a result of this development.
- 8.7.12. A bat habitat appraisal found that the majority of trees within the site were assigned a Negligible to Low roosting potential. No bats were observed emerging or re-entering any trees during the survey. The bat survey at dusk recorded a total of 117 bat passes, dominated by three bat species (Common pipistrelle, Soprano pipistrelle, Leisler's bat) at the site for commuting and foraging, with activity concentrated to the hedgerow habitats towards the centre of the site. Additionally, two static detectors were deployed on the site for fourteen nights in May 2023. In total, 3,228 bat passes were recorded, dominated by the Common pipistrelle and Soprano pipistrelle and to a lesser extent the Leisler's bat.
- 8.7.13. The EcIA also considers the potential impacts of the proposal at construction and operation phases on birds, bats, and mammals. The designed-in mitigation and targeted mitigation devised to address the potential impacts are described. Key among which include project design to retain hedgerows and proposed tree planting scheme (noting additional vegetation along with scrub and wetlands to be retained by way of revised plans submitted under further information), and at construction stage, the implementation of the CEMP (noise, vibration, dust, surface water and groundwater protection measures), pre-construction surveys and inspections, time-restricted development works including supervision of vegetation removal if occurring during summer months, provision of nest boxes and bat boxes, and installation of a bat sensitive lighting scheme. The EcIA concludes that with the implementation of mitigation measures, there will be no significant impacts on biodiversity.
- 8.7.14. A submission received by the local authority from the Development Application Unit (Nature Conservation) of the Department of Housing, Local Government and Heritage, raised concern with respect to non-native planting and seeding source for wildflower meadows. By way of further information, the applicant clarified that wildflower meadows would comprise native wild flora mix and that all of the wildflowers specified support the All-Ireland Pollinator Plan.
- 8.7.15. An Invasive Species Management Plan was submitted, identifying medium and high-risk invasive species on and bordering the site and prescribes measures that will be

employed to prevent the further spread of same. Measures include the management of Japanese knotweed which was identified on railway land adjacent to the site boundary. If Japanese knotweed is found to have encroached into the site, a number of management and control options are provided below for the treatment of this Invasive Species. This will be determined by an ecologist on site. I consider this to be acceptable.

Conclusion

- 8.7.16. Having regard to the submitted EcIA and landscape plans, I am satisfied that the ecological impact of the proposed development has been appropriately assessed, consistent with Policy P-BD-3. I also consider that through the mitigation measures proposed including the designing-in of habitats including those of *Local Importance (Higher Value)* within the proposed development, and through the proposed further planting of native trees, hedgerows and wildflower meadows, the proposal will not have an adverse impact on biodiversity including habitats, flora and fauna, consistent with Policy P-BD-4. I further consider that the higher value habitat vegetation to be retained has been integrated to an acceptable standard within the areas of public open space, which, in my view, together with the proposed planting schedule, management of invasive species and sensitive public lighting scheme, will result in a biodiversity net gain, consistent with Policy P-BD-7.

8.8. Other Matters

Procedural Issues

- 8.8.1. An observer to the appeal contends that the submitted drawings are inaccurate in respect of ground, finished floor and ridge levels / heights. In essence, the observer considers that it may be the case that in the context of existing dwellings on Oakfield Road, the relative height of the apartment blocks would be greater than that indicated on the drawings.
- 8.8.2. The proposal includes 3 no. three-storey apartment blocks interfaced with Oakfield Road to west. The existing site plan (site survey) shows existing site contours and ridge or eaves heights of existing dwellings above OS Datum. The proposed site plan, elevations and site / cross section drawings also show the finished floor and ridge levels for the 3 no. apartment blocks relative to the OS Datum.

- 8.8.3. On the basis of the foregoing, I am satisfied that the submitted drawings have accurately depicted building height above proposed ground and finished floor level and are therefore sufficient to understand the proposed relationship between existing dwellings and the proposed development at the interface with Oakfield Road. I also note that the application was deemed to be valid by the planning authority.

Surface Water Drainage

- 8.8.4. An observer to the appeal contends that surface water run-off will further deteriorate the road surface condition of Oakfield Road.
- 8.8.5. Policy P-SWD-1 of the County Development Plan requires all new developments to provide a separate foul and surface water drainage system and to incorporate sustainable urban drainage systems, where feasible.
- 8.8.6. The application includes drainage drawings and a drainage report outlining measures to manage / attenuate surface water. Surface water generated on the northern and southern sections of the development will be initially managed separately, both through a petrol interceptor to an appropriately sized attenuation tank then to discharge to a proposed culvert system within the site. This culvert will leave the proposed development from the northwest, continue north to connect to an existing manhole in Larkhill Road. The submitted engineer's report states that the purpose of the proposed culvert is to allow for the natural surface water flows of the existing greenfield areas to be maintained through the proposed development and that the proposed culvert will be sized to cater for the catchment areas to the south, east and southeast of the proposed site, for a total area of 49.13 Ha.
- 8.8.7. The Strategic Flood Risk Assessment (SFRA) carried out as part of the County Development Plan 2024-2030 does not identify any flood risk associated with the appeal site, reflected by the nRES (New Residential) land use zoning. A site-specific flood risk assessment (SSFRA) submitted with the application concludes that there is no record of flooding previously occurring on the proposed development site; and that the proposed development site is not located in a floodplain; therefore, the proposed works will not result in a loss of floodplain and are unlikely to increase the current flood risk in the catchment.
- 8.8.8. The NIS and project Civil Design Report outline SuDS measures to be incorporated, to include the use of localised soakaways at the rear of dwellings, provision of public

open space areas, which include retained wetlands, and the use of petrol / oil interceptors.

- 8.8.9. Condition 8 on the planning authority's decision required that proper provision shall be made to ensure that no surface water is diverted or allowed to flow onto the adjoining public road, whilst Condition 18 requires the applicant to enter into a maintenance agreement for the maintenance and de-sludging of the oil interceptor.
- 8.8.10. I consider that the surface water drainage strategy to be sufficiently robust, consistent with Policy P-SWD-1. Suitable conditions regarding same should be included on a grant of permission, if one is forthcoming.

Screening for Environmental Impact Assessment

- 8.8.11. The appellant raises concerns with regards the adequacy of the EIA screening process contending that cumulative impact of the proposal was not adequately assessed particularly having regard to the Oakfield Road improvement scheme. Having regard to the criteria set out under Schedule 7 of the Planning and Development Regulation 2001 (as amended) and the Schedule 7A information provided by the applicant, I have completed an Environmental Impact Assessment Screening Determination, including consideration in terms of cumulative impact. I have also taken into account the Part 8 housing scheme under construction on land east of the railway line, Refer to Section 10.0 and Appendix 2 of my report. With respect to the applicant's EIA screening document, I note reference within same to the Ecological Impact Assessment (EcIA) which covers the ecological impact associated with the removal of hedgerow and the cumulative consideration of same from the perspective of provision for future road / active travel upgrades on Oakfield Road.

Construction Stage and Structural Concerns

- 8.8.12. Concerns are also raised by an observer to the appeal that the proposed construction phase could have a negative impact on the structural stability of adjacent existing properties. Vibrations impacts are likely to occur during the construction phase as a result of ground preparation works. It is acknowledged that vibration in relation to construction sites may result in temporary and short-term disturbance and that these impacts are unlikely to propagate beyond the construction site boundary.
- 8.8.13. The application includes a preliminary Construction and Environmental Management Plan (CEMP). The CEMP provides the environmental management framework to be

adhered to during the pre-commencement and construction phases of the development and it incorporates the mitigating principles to ensure that the work is carried out in a way that minimises the potential for any environmental impacts to occur. Section 3.4 of the CEMP relates to Noise and Vibration Control and states that *If work activities have the potential to result in vibration, the appointed contractor shall source vibration monitoring equipment immediately from a specialist company who specialise in monitoring equipment.* I am satisfied that subject to implementation of best practice control measures no significant impacts are predicted. If the Board is minded to grant permission, I recommend that a condition is included requiring a pre-commencement structural survey of existing dwellings on Oakfield Road interfacing the site.

Provision of Social Housing

- 8.8.14. An observer to the appeal considers that social housing should be pepper-dotted throughout the estate. Policy P-SHOU-1 of the County Development Plan seeks to promote social inclusion by ensuring that social housing is well distributed throughout all residential areas rather than concentrated in a few locations. In my view, this policy is applicable to site and settlement level. A Site Layout Plan submitted at further information stage shows the location of social housing units spread across the site, including apartments and houses, consistent, in my view, with Policy P-SHOU-1.

Property Values

- 8.8.15. I note the concerns raised in the grounds of appeal in respect of the devaluation of neighbouring properties. However, having regard to the assessment and conclusions set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

9.0 Appropriate Assessment

Refer to Appendix 1.

Appropriate Assessment Screening

I have completed a screening for Appropriate Assessment (Stage 1). In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on

the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC and Cummeen Strand SPA in view of the conservation objectives of a number of qualifying interest features of those sites. It is therefore determined that Appropriate Assessment (stage 2) [under Section 177V of the Planning and Development Act 2000] of the proposed development is required.

Appropriate Assessment

I have considered the Natura Impact Statement submitted by the applicant and all other relevant documentation accompanying the application and completed an Appropriate Assessment (Stage 2) of the implications of the project on the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC and Cummeen Strand SPA in view of the sites' conservation objectives. I consider that the information submitted was adequate to allow the carrying out of an Appropriate Assessment.

Following an Appropriate Assessment, it has been ascertained that, subject to the proposed mitigation measures, the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC or Cummeen Strand SPA, or any other European site, in view of the sites' Conservation Objectives.

This conclusion has been reached following a complete assessment of all aspects of the proposed project and there is no reasonable doubt as to the absence of adverse effects. More specifically, this conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures in relation to the Conservation Objectives of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), Lough Gill SAC (Site Code: 001976) and Cummeen Strand SPA (Site Code: 004035).
- Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code:

000627), Lough Gill SAC (Site Code: 001976) and Cummeen Strand SPA (Site Code: 004035).

10.0 EIA Screening

Refer to Form 1 in Appendix 2 (EIA Pre-Screening). Class 10 of Schedule 5 Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for a development comprising the construction of more than 500 dwellings, or for urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

Refer to Form 3 in Appendix 2 (Environmental Impact Assessment Screening Determination). Having regard to the nature, scale and location of the project, I have concluded that the development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

11.0 Water Framework Directive

Refer to Appendix 3. I conclude that on the basis of objective information, that the proposed development, subject to mitigation measures set out in the submitted EIA screening report and submitted NIS, will not result in a risk of deterioration on any water body (rivers, lakes, groundwaters, transitional and coastal) either qualitatively or quantitatively or on a temporary or permanent basis or otherwise jeopardise any water body in reaching its WFD objectives and consequently can be excluded from further assessment.

12.0 Recommendation

I recommend that permission be granted in accordance with the submitted plans and particulars and as amended by further information received on the 22nd November 2024 and based on the reasons and considerations below, and subject to the conditions set out below.

13.0 Reasons and Considerations

The subject site is zoned 'nRES – New Residential Uses', the objective of which is to *'Promote the development of greenfield/ infill/ backlands for high-quality residential uses such as apartments, houses, sheltered housing and live-work units, retirement homes etc., in tandem with the provision of the required physical infrastructure'*. Having regard to the zoning objectives of the subject site, its location within the 'Regional Growth Centre' of Sligo Town and the policies and objectives for the town as set out in the Sligo County Development Plan 2024-2030, and having regard to the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable scale and density of development at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height, and quantum of development, as well as in terms of traffic and pedestrian safety and convenience, and would not have any significant adverse effects on biodiversity. It is considered that the proposed development is compliant with the Sligo County Development Plan 2024-2030 and would therefore be in accordance with the proper planning and sustainable development of the area.

14.0 Recommended Draft Order

Appeal by Oakfield Road Residents Association, 10 Oakfield Road, Sligo, against the decision made on 13th February 2025 by Sligo County Council to grant, subject to conditions, a permission to Novot Holdings Ltd. in accordance with plans and particulars lodged with the said Council.

Proposed Development

A Large-Scale Residential Development on a site which extends to c. 6.17ha on lands located on the Oakfield Road, Sligo, Co. Sligo. The application is being made under the provisions of the Planning and Development (Amendment) (Large-Scale Residential Development) Act 2021. The development will consist of the following:

- Construction of 207 no. residential units comprising 21 no. 1-bedroom apartments, 37 no. 2 bedroom apartments, 4 no. 2 bedroom terrace houses, 99

no. 3 bedroom terrace houses, 4 no. 3 bedroom semi-detached houses, and 42 no. 4 bedroom semi-detached houses.

- Provision of a creche facility including a secure external play area.
- Provision of all associated surface water and foul drainage services and connections with all associated site works and ancillary services.
- Pedestrian, cycle, and vehicular access/egress, and internal pedestrian and cycle access/egress along Oakfield Road.
- Provision of public open space, communal open space, private open space, site landscaping, public lighting, refuse storage, car parking, bicycle parking, boundary treatments, and all associated site development works.

A Natura Impact Statement (NIS) has been prepared in respect of the proposed development and accompanies this application.

Decision

Grant permission for the above proposed development in accordance with the reasons and considerations set out below.

Matters Considered:

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

In coming to its decision, the Board had regard to the following:

- i. The provisions and policies of the Sligo County Development Plan 2024-2030,
- ii. The zoning objective '*nRES – New Residential Uses*', with a stated objective to '*Promote the development of greenfield/ infill/ backlands for high-quality residential uses such as apartments, houses, sheltered housing and live-work units, retirement homes etc., in tandem with the provision of the required physical infrastructure*'.
- iii. The National Planning Framework (NPF) First Revision – April 2025 issued by the Government of Ireland,

- iv. Northern and Western Regional Assembly - Regional Spatial and Economic Strategy (RSES) 2020
- v. The Sustainable Residential Development and Compact Settlements, Guidelines for Planning Authorities (DHLG, 2024)
- vi. The Urban Development and Building Heights, Guidelines for Planning Authorities (DHPLG, 2018),
- vii. Design Manual for Quality Housing (DHLG, 2023)
- viii. Sustainable Urban Housing: Design Standards for New Apartments (DHLG, 2023)
- ix. Design Manual for Urban Roads and Streets
- x. The Climate Action Plan issued by the Government of Ireland in 2025 and 2024
- xi. National Biodiversity Action Plan (NBAP) 2023-2030
- xii. The availability in the area of a wide range of social and community infrastructure necessary to serve this development,
- xiii. The pattern of existing and permitted development in the area,
- xiv. Submissions and observations received, and
- xv. The Inspectors Report

it is considered that, subject to compliance with the conditions set out below, the proposed development would not materially contravene the Sligo County Development Plan 2024-2030, would not seriously injure the residential and visual amenities of the area, would not have a negative impact on the character of the area, would not constitute overdevelopment of the subject site, would not overwhelm existing drainage infrastructure, would not fail to comply with the Water Framework Directive and the Habitats Directive, would not negatively impact biodiversity, would not result in devaluation of property, would be acceptable in terms of vehicular, pedestrian and cyclist safety, would be acceptable in terms of car and bicycle parking provision, and would offer a good standard of accommodation and amenity to future residents. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Appropriate Assessment (AA):

The Board completed an Appropriate Assessment screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature and scale of the development on serviced lands, the nature of the receiving environment which comprises a site on the edge of an established urban area, the distances to the nearest European sites, and the hydrological pathway considerations, submissions on file, the information submitted as part of the applicant's Appropriate Assessment Screening Report documentation and the Inspector's Report.

Having carried out screening for Appropriate Assessment of the project, it was concluded that it may have a significant effect on the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), Lough Gill SAC (Site Code: 001976) and Cummeen Strand SPA (Site Code: 004035). Consequently, an Appropriate Assessment was required of the implications of the project on the qualifying features of the site in light of its conservation objectives.

Following an Appropriate Assessment, it was ascertained that the proposed development, individually or in combination with other plans or projects would not adversely affect the integrity of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), Lough Gill SAC (Site Code: 001976) and Cummeen Strand SPA (Site Code: 004035) subject to the implementation in full of appropriate mitigation measures.

This conclusion is based on:

- A full and detailed assessment of all aspects of the proposed project including proposed mitigation measures in relation to the Conservation Objectives of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), Lough Gill SAC (Site Code: 001976) and Cummeen Strand SPA (Site Code: 004035).
- Detailed assessment of in combination effects with other plans and projects including historical projects, plans and current proposals.
- No reasonable scientific doubt as to the absence of adverse effects on the integrity of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), Lough Gill SAC (Site Code: 001976) and Cummeen Strand SPA (Site Code: 004035).

Environmental Impact Assessment (EIA):

The Board completed an Environmental Impact Assessment Screening of the proposed development and considered that the Environment Impact Assessment Screening Report submitted by the applicant, which contains information set out in Schedule 7A to the Planning and Development Regulations, 2001 (as amended), identifies and describes adequately the effects of the proposed development on the environment.

Having regard to:

- a) The nature and scale of the project, which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended.
- b) The location of the site on zoned lands (Zoning Objective 'nRES – New Residential'), and other relevant policies and objectives in the Sligo County Development Plan 2024-2030, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC).
- c) The greenfield nature of the site and its location in an established suburban neighbourhood of Sligo town, which is served by public services and infrastructure.
- d) The pattern of existing and permitted development in the area.
- e) The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations 2001, as amended and the absence of any potential impacts on such locations.
- f) The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage, and Local Government (2003).
- g) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.
- h) The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive.

- i) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the outline Construction Environmental Management Plan, Ecological Impact Assessment, Natura Impact Statement, Arboricultural Report, Invasive Species Management Plan, Site Specific Flood Risk Assessment, Archaeological Impact Assessment, Lighting Design Report and Mobility Management Plan.

It is considered that the proposed development would not be likely to have significant effects on the environment and that the preparation and submission of an environmental impact assessment report would not therefore be required.

Conclusions on Proper Planning and Sustainable Development:

The Board considered that, subject to compliance with the conditions set out below, the proposed development would constitute an acceptable scale and density of development at this location, would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of urban design, height, and quantum of development, as well as in terms of traffic and pedestrian safety and convenience, and would not have any significant adverse effects on biodiversity. The Board considered that the proposed development is compliant with the Sligo County Development Plan 2024-2030 and would therefore be in accordance with the proper planning and sustainable development of the area.

Conditions:

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 28 th May 2024 as amended by the further plans and particulars submitted on the 22 nd November 2024, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of
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	development and the development shall be carried out and completed in accordance with the agreed particulars. Reason: In the interest of clarity.
2.	The proposed development shall be amended as follows: a) Unit No. 1 (house type A), located immediately north of the proposed northern site entrance and immediately east of the proposed combined cycle / pedestrian track, shall be redesigned to provide a double fronted house to provide an active frontage to the interface with the public road. b) A dedicated drop-off / pick-up area shall be provided for the childcare facility. Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: To protect the amenities of the area and standard of residential accommodation provided.
3.	Mitigation and monitoring measures outlined in the plans and particulars, including the Natura Impact Statement (NIS), Ecological Impact Assessment, Arboricultural Assessment and Impact Report, Invasive Species Management Plan and Mobility Management Plan, submitted with this application shall be carried out in full, except where otherwise required by conditions attached to this permission. Reason: In the interest of protecting the environment, public health, and clarity.
4.	a) Details of the materials, colours, and textures of all the external finishes to the proposed buildings and boundary treatments shall be as submitted with the application, unless otherwise agreed in writing with the planning authority.

	b) Details of security shuttering, external lighting, and signage for the childcare facility shall be agreed in writing with the planning authority prior to commencement of development. c) Details of a maintenance strategy for all external finishes within the proposed development shall be submitted for the written agreement of the planning authority. In default of agreement the matter(s) in dispute shall be referred to An Bord Pleanála for determination. Reason: In the interest of visual amenity and to ensure an appropriate high standard of development.
5.	Communal parking areas serving apartment blocks L, M and N shall be provided with functional electric vehicle (EV) charging points, and all other houses within the scheme shall be provided with an electric vehicles (EV) home charge point to the exterior of the houses. Details of how it is proposed to comply with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: In the interest of sustainable transportation.
6.	a) The development shall be carried out on a phased basis, in accordance with the phasing scheme submitted to the planning authority on the 22nd November 2024, unless otherwise agreed in writing with the planning authority prior to commencement of development. b) Work on any subsequent phases shall not commence until such time as the written agreement of the planning authority is given to commence the next phase. Details of further phases shall be as agreed in writing with the planning authority. Reason: To ensure the timely provision of services, for the benefit of the occupants of the proposed dwellings.
7.	Proposals for a naming / numbering scheme and associated signage shall be submitted to, and agreed in writing with, the planning authority prior to

	commencement of development. Thereafter, all signs and dwelling numbers, shall be provided in accordance with the agreed scheme. The proposed names shall be based on local historical or topographical features, or other alternatives acceptable to the planning authority. No advertisements/marketing signage relating to the name(s) of the development shall be erected until the developer has obtained the planning authority's written agreement to the proposed name(s). Reason: In the interest of urban legibility and to ensure the use of locally appropriate place names for new residential areas.
8.	The outdoor lighting scheme shall be carried out in accordance with the outdoor lighting report and scheme that was received by the Planning Authority on the 22nd November 2024, and with technical specifications of the Planning Authority. The lighting scheme shall incorporate mitigation measures outlined in the submitted Ecological Impact Assessment including those with respect to bats and further mitigation measures outlined in the Ecology FI Response received by the Planning Authority on the 22nd November 2024. The Developer shall comply with all future site lighting requirements of the Planning Authority in relation to adjusting the lights by re-aiming, the addition of louvres & shields and / or dimming. Such lighting shall be provided prior to the making available for occupation of the development. Reason: In the interest of amenity and public safety.
9.	The scheme shall be landscaped in accordance with the landscape plans and specification report submitted to the Planning Authority on the 22nd November 2024, unless otherwise agreed in writing with the planning authority. The landscape scheme shall be implemented fully in the first planting season following substantial completion of the external construction works. All planting shall be adequately protected from damage until established. Any trees, plants or shrubs which die or are removed within three years of planting shall be replaced in the first planting

	season thereafter. Unless otherwise agreed in writing with the planning authority. Reason: In the interest of visual amenity.
10.	a) All recommendations outlined in the submitted Stage 1/2 Road Safety Audit shall be implemented prior to occupation of any dwelling unit or respective phase of development, where applicable. b) Upon completion of the development and prior to occupation of any dwelling or commercial unit, the developer shall complete a Stage 3 Road Safety Audit, to be carried out by an independent, approved and certified auditor. The recommendations contained in the Road Safety Audit and agreed actions shall be signed off by the audit team. Agreed actions shall be implemented prior to occupation of any commercial or dwelling unit. Reason: In the interest of pedestrian and traffic safety.
11.	The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall - a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove. In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

	Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.
12.	a) The construction of the development shall be managed in accordance with a final Construction Environmental Management Plan (CEMP), which shall be submitted to, and agreed in writing with, the Planning Authority prior to the commencement of development. This plan shall provide details of intended construction practice for the development, including hours of working, traffic management measures, consultation measures with local residents, schools and businesses in relation to traffic disruption during construction works, noise management measures and off-site disposal of construction/demolition waste, including disposal of asbestos. b) All site works shall be supervised by a competent technical professional/Ecological Clerk of Works to ensure that all mitigation measures as detailed in the Construction and Environmental Management Plan submitted to the Planning Authority, are implemented on site, and to ensure that site works are carried out in accordance with the planning conditions applied to the development. The name and contact details of the competent technical professional shall be submitted to the Planning Authority prior to the commencement of development works on site Reason: In the interests of public safety, residential amenity and environmental protection.
13.	Prior to the commencement of development, the developer shall engage the services of a suitably qualified person / company to carry out a pre-commencement structural survey of existing dwellings on Oakfield Road which are in the vicinity of the site. The survey shall be submitted for agreement to the Planning Authority prior to commencement of development.

	Reason: In the interests of public safety, residential amenity and environmental protection.
14.	A detailed final construction traffic management plan shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The plan shall include details of arrangements for routes for construction traffic, parking during the construction phase, the location of the compound for storage of plant and machinery and the location for storage of deliveries to the site. Reason: In the interest of sustainable transport and safety.
15.	Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times. Reason: In the interest of proper planning and sustainable development.
16.	Prior to the commencement of development, the developer shall enter into Connection Agreements with Uisce Éireann (Irish Water) to provide for service connections to the public water supply and wastewater collection networks. Reason: In the interest of public health and to ensure adequate water and wastewater facilities.

17.	Drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. a) A Class 1 type oil interceptor of sufficient capacity shall be installed on the surface water drainage system/attenuation system serving the development in accordance with the plans and proposals submitted to the Planning Authority b) The applicant shall enter into a maintenance agreement for the maintenance and de-sludging of the oil interceptor, which shall be renewed on an annual basis. This maintenance contract shall be presented to the Planning Authority on request. Desludging of the oil interceptors shall be carried out in accordance with the recommendations of the manufacturer. Desludging shall be carried out by an Authorised Waste Disposal Contractor with a current, Valid, Waste Collection Permit for the collection and disposal of waste oils Reason: In the interests of public health and waste management
18.	Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Friday inclusive, between 0700 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority. Reason: In order to safeguard the residential amenities of property in the vicinity.
19.	The development hereby permitted shall be carried out and completed at least to the construction standards as set out in the planning authority's Taking in Charge Standards. In the absence of specific local standards, the standards as set out in the 'Recommendations for Site Development Works for Housing Areas' issued by the Department of the Environment and Local Government in November 1998. Following completion, the

	development shall be maintained by the developer, in compliance with these standards, until taken in charge by the planning authority. Reason: To ensure that the development is carried out and completed to an acceptable standard of construction.
20.	All service cables associated with the proposed development such as electrical, telecommunications and communal television shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development. Reason: In the interests of visual and residential amenity.
21.	The management and maintenance of the proposed development following its completion shall be the responsibility of a legally constituted management company, or by the local authority in the event of the development being taken in charge. Detailed proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Reason: To ensure the satisfactory completion and maintenance of this development.
22.	(a) Prior to the commencement of development as permitted, the applicant or any person with an interest in the land shall enter into an agreement with the planning authority (such agreement must specify the number and location of each house), pursuant to Section 47 of the Planning and Development Act 2000, that restricts all relevant houses permitted, to first occupation by individual purchasers i.e. those not being a corporate entity, and/or by those eligible for the occupation of social and/or affordable housing, including cost rental housing. (b) An agreement pursuant to Section 47 shall be applicable for the period of duration of the planning permission, except where after not less than two years from the date of completion of each specified housing unit, it is demonstrated to the satisfaction of the planning authority that it has not been possible to transact each specified house for use by

	individual purchasers and/or to those eligible for the occupation of social and/or affordable housing, including cost rental housing. (c) The determination of the planning authority as required in (b) shall be subject to receipt by the planning and housing authority of satisfactory documentary evidence from the applicant or any person with an interest in the land regarding the sales and marketing of the specified housing units, in which case the planning authority shall confirm in writing to the applicant or any person with an interest in the land that the Section 47 agreement has been terminated and that the requirement of this planning condition has been discharged in respect of each specified housing unit. Reason: To restrict new housing development to use by persons of a particular class or description in order to ensure an adequate choice and supply of housing, including affordable housing, in the common good.
23.	Prior to commencement of development, the applicant or other person with an interest in the land to which the application relates shall enter into an agreement in writing with the planning authority [in relation to the transfer of a percentage of the land, to be agreed with the planning authority, in accordance with the requirements of section 94(4) and section 96(2) and 96(3)(a), (Part V) of the Planning and Development Act 2000, as amended, and/or the provision of housing on lands in accordance with the requirements of section 94(4) and section 96(2) and 96(3) (b), (Part V) of the Planning and Development Act 2000, as amended], unless an exemption certificate has been granted under section 97 of the Act, as amended. Where such an agreement cannot be reached between the parties, the matter in dispute (other than a matter to which section 96(7) applies) shall be referred by the planning authority or any other prospective party to the agreement, to An Bord Pleanála for determination. Reason: To comply with the requirements of Part V of the Planning and Development Act 2000, as amended, and of the housing strategy in the development plan for the area.

24.	The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.
25.	Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion and maintenance until taken in charge by the local authority of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion or maintenance of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination. Reason: To ensure the satisfactory completion and maintenance of the development until taken in charge.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Jim Egan
Planning Inspector

22nd May 2025

Appendix 1 – Appropriate Assessment Screening

Screening for Appropriate Assessment Test for likely significant effects	
Step 1: Description of the project and local site characteristics Case File: ABP-322067-25	
Brief description of project	Large-scale residential development: Construction of 207 residential units, a creche and all associated site works. Third party appeal.
Brief description of development site characteristics and potential impact mechanisms	A detailed description of the proposed development is provided in Section 2.0 of the Inspectors report and detailed specifications of the proposal are provided in the AA screening report/ NIS and other planning documents provided by the applicant. In summary, the proposed development comprises the construction of 207 residential units, a creche and all associated site works including internal roads, open space, all on a site measuring 6.17ha. The development would be connected to public services including water and sewer. Surface water would be attenuated and discharged to a central culvert within the site. This culvert will leave the proposed development from the northwest and will continue north to connect to an existing manhole in Larkhill Road. 8.9.4. The proposed culvert will be sized to cater for the catchment areas to the south, east and southeast of the proposed site, for a total area of 49.13 Ha. There are no watercourses or other ecological features of note on or adjacent to the site that would connect it directly to European Sites in the wider area. There is a drainage ditch located towards the centre of the site. Analysis provided in the submitted AA screening report found that this drainage ditch does not provide hydrological connectivity to any watercourse within the vicinity of the proposed development site.

	The site is however located within the Sligo Bay Catchment and within the Carrowmore west ground waterbody, in an area of high groundwater vulnerability. A submitted AA Screening Report / NIS and Ecological Impact Assessment, both prepared by McCarthy Keville O'Sullivan Ltd. (MKO) include details of Multidisciplinary Ecological Walkover Surveys conducted on the 24/01/2023, 17/04/2023, 17/05/2023 and 08/11/2023. Findings are summarised as follows: • The main habitats recorded within the boundary of the proposed development site are classified as Improved Agricultural Grassland (GA1), Scrub (WS1), Recolonising Bare Ground (ED3), Drainage Ditch (FW4), Spoil and Bare Ground (ED2), Wet Grassland (GS4), Buildings and Artificial Surfaces (BL3), and Hedgerow (WL1). • The wintering bird surveys conducted on the 24/01/2023 and 08/11/2023 recorded no species associated with the nearby Cummeen Strand SPA [004035] within the proposed development site. • The majority of trees within the site were assigned a Negligible to Low bat roosting potential. No bats were observed emerging or re-entering any trees during the survey. An Invasive Species Management Plan was submitted at further information stage, identifying medium and high-risk invasive species on and bordering the site and prescribes measures that will be employed to prevent the further spread of same. The high-risk species identified is Japanese Knotweed, located outside the site but close to the boundary. The report states <i>'the stand of Japanese Knotweed was recorded at a lower elevation than the Proposed Development Site, at the bottom of a steep embankment, separated from the site by metal fencing and an existing Hedgerow. As such, the root system is unlikely to extend upwards into the Proposed Development Site. However taking a highly precautionary approach, a pre-construction Invasive Species Survey to determine if Japanese knotweed has encroached into the site in the intervening period will be undertaken. If Japanese knotweed is found to have encroached into the site, a number of management and control options are</i>
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	<i>provided below for the treatment of this Invasive Species. This will be determined by an ecologist on site’.</i>			
Screening report	The AA Screening Report prepared by MKO provides a description of the proposed development, refers to a submitted Construction and Environmental Management Plan (CEMP), identifies the European Sites within a likely zone of impact, along with a likely zone of impact determination. In respect of the following European Sites, the report finds that there is a potential pathway for indirect effects, and in the absence of mitigation, there is potential for the proposed development to result in likely significant effects on the European Site: • Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627) • Lough Gill SAC [Site Code: 001976) • Cummeen Strand SPA (Site Code 004035) On the basis of the above, the report concludes that Appropriate Assessment is required.			
Natura Impact Statement	Yes			
Relevant submissions	The Development Applications Unit submitted an observation dated 5th July 2024 on behalf of the Department of Housing, Local Government and Heritage (DHLGH). Issues raised include the following with regards to the appropriate assessment process: • The allowance in the design to retain wetland for wintering birds is minimal and should be re-considered. • Queries as to whether breeding birds surveys were carried out. A further submission observation received from the Development Applications Unit on the 5th January 2025.			
Step 2: Identification of relevant European sites using the Source-pathway-receptor model				
European Site (code)	Qualifying interests Link to conservation objectives (NPWS, 6 th May 2025)	Distance from proposed development (km)	Ecological connections	Consider further in screening Y/N

Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627)	Coastal habitat (estuaries, mudflats, sandflats, dunes, heath and grasslands). Whorl snail, lamprey and harbour seal. Conservation Objectives NPWS, 2024	c. 1.3km	No direct impacts. Indirect hydrological connection to Sligo Bay via groundwater and stormwater infrastructure.	Y
Cummeen Strand SPA (Site Code: 004035)	Wintering water birds (3 no. species). Wetland and waterbirds Conservation Objectives NPWS, 2013	c. 1.3km	No direct impacts. Indirect hydrological connection to Sligo Bay via groundwater and stormwater infrastructure.	Y
Lough Gill SAC (Site Code: 001976)	Vegetation, grasslands, woods, forests. Crayfish, lamprey, salmon and otter. Conservation Objectives NPWS, 2021	c. 1.3km	No direct impacts. Indirect hydrological connection to Sligo Bay via groundwater and stormwater infrastructure.	Y
Ballysadare Bay SAC (Site Code: 000622), c. 1.6km southwest of the site	Estuaries, mudflats, sandflats, dunes, heath and grasslands). Whorl snail and harbour seal. Conservation Objectives NPWS, 2013	c. 4.6km	No direct or indirect impacts by reason of distance and absence of any pathway.	N
Ballysadare Bay SPA (Site Code: 004129), c. 1.6km	Wintering water birds (5 no. species). Wetland and waterbirds	c. 4.6km	No direct or indirect impacts by reason of distance	N

southwest of the site	Conservation Objectives NPWS, 2013		and absence of any pathway.	
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Step 3. Describe the likely effects of the project (if any, alone or in combination) on European Sites

AA Screening matrix

Site name Qualifying interests	Possibility of significant effects (alone) in view of the conservation objectives of the site*	
	Impacts	Effects
Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627) Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] <i>Juniperus communis</i> formations on heaths or calcareous grasslands [5130] Semi-natural dry grasslands and scrubland facies on calcareous substrates	Direct: No risk of habitat loss, fragmentation or any other direct impact. Indirect: Risk to Sligo Bay / Garavogue Estuary of construction related contaminants entering ground water and untreated operational stage surface water entering stormwater infrastructure.	A decline in water quality would undermine the conservation objectives set for qualifying interests.

(Festuco-Brometalia) (* important orchid sites) [6210] Petrifying springs with tufa formation (Cratoneurion) [7220] Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] Petromyzon marinus (Sea Lamprey) [1095] Lampetra fluviatilis (River Lamprey) [1099] Phoca vitulina (Harbour Seal) [1365]		
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
	Impacts	Effects
Lough Gill SAC (Site Code: 001976) Natural eutrophic lakes with Magnopotamion or Hydrocharition - type vegetation [3150] Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) [6210] Old sessile oak woods with Ilex and Blechnum in the British Isles [91A0]	Direct: No risk of habitat loss, fragmentation or any other direct impact. Indirect: Risk to Sligo Bay / Garavogue Estuary of construction related contaminants entering ground water and untreated operational stage surface water entering stormwater infrastructure.	A decline in water quality would undermine the conservation objectives set for qualifying interests.

Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae) [91E0] <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra planeri</i> (Brook Lamprey) [1096] <i>Lampetra fluviatilis</i> (River Lamprey) [1099] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355]		
	Likelihood of significant effects from proposed development (alone): Yes	
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?	
	Impacts	Effects
Cummeen Strand SPA (Site Code: 004035) Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Oystercatcher (<i>Haematopus ostralegus</i>) [A130] Redshank (<i>Tringa totanus</i>) [A162] Wetland and Waterbirds [A999]	Direct: No risk of habitat loss, fragmentation or any other direct impact. Indirect: Risk to Sligo Bay / Garavogue Estuary of construction related contaminants entering ground water and untreated operational stage surface water entering stormwater infrastructure.	A decline in water quality would undermine the conservation objectives set for qualifying interests.

	Likelihood of significant effects from proposed development (alone): Yes
	If No, is there likelihood of significant effects occurring in combination with other plans or projects?

Step 4 Conclude if the proposed development could result in likely significant effects on a European site

Based on the information provided in the screening report, site visit, review of the conservation objectives and supporting documents, I consider that in the absence of mitigation measures beyond best practice construction methods, the proposed development has the potential to result significant effects on the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC and Cummeen Strand SPA.

The Planning Authority also determined that an appropriate assessment is required to be undertaken.

I concur with the applicants' findings that such impacts could be significant in terms of the stated conservation objectives of the SACs and SPA when considered on their own and in combination with other projects and plans in relation to pollution related pressures and disturbance on qualifying interest habitats and species.

Screening Determination

Finding of likely significant effects

In accordance with Section 177U of the Planning and Development Act 2000 (as amended) and on the basis of objective information provided by the applicant, I conclude that the proposed development could result in significant effects on the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC and Cummeen Strand SPA in view of the conservation objectives of a number of qualifying interest features of those sites.

It is therefore determined that Appropriate Assessment (stage 2) under Section 177V of the Planning and Development Act 2000 of the proposed development is required.

Appendix 1 - Appropriate Assessment

Appropriate Assessment

The requirements of Article 6(3) as related to appropriate assessment of a project under part XAB, Section 177V of the Planning and Development Act 2000 (as amended) are considered fully in this section.

Taking account of the preceding screening determination, the following is an appropriate assessment of the implications of the proposed development comprising the construction of 207 residential units, a creche and all associated site works, in view of the relevant conservation objectives of Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC and Cummeen Strand SPA based on scientific information provided by the applicant.

The information relied upon includes the following documents prepared by and others and submitted with the application / further information:

- Natura Impact Statement, prepared by McCarthy Keville O'Sullivan Ltd. (MKO)
- Ecological Impact Assessment (MKO)
- Invasive Species Management Plan (MKO)
- Construction and Environmental Management Plan (MKO)
- Flood Risk Assessment (Jennings O'Donovan & Partners Consulting Engineers)

I am satisfied that the information provided is adequate to allow for Appropriate Assessment. I am satisfied that all aspects of the project which could result in significant effects are considered and assessed in the NIS and mitigation measures designed to avoid or reduce any adverse effects on site integrity are included and assessed for effectiveness.

Submissions/observations

Refer to AA Screening.

NAME OF SAC/ SPA (SITE CODE):

Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627)

Summary of Key issues that could give rise to adverse effects (from screening stage):

- (i) Water quality degradation (construction and operation)

See Table 5-1 and Section 6 of the submitted NIS.

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)
Estuaries [1130]	Maintain favourable conservation condition. Conserve community types in a natural condition	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives	<u>Construction Phase:</u> Implementation of a Construction and Environmental Management Plan (CEMP), including Supervision by ECOW and monitoring of water quality parameters
Mudflats and sandflats not covered by seawater at low tide [1140]	Maintain favourable conservation condition. According to the Article 17 reporting (NPWS, 2019), the overall status of the habitat in the most recent 2019 assessment is unfavourable and declining, partly caused by partly by pollution from agricultural, forestry and wastewater sources.	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives	<u>Operational Phase:</u> Storm water generated will be directed through a petrol interceptor to an appropriately sized attenuation tank prior to discharge via a new culvert to an existing manhole in Larkhill Road. Foul water will be connected to the mains.

	Conserve community types in a natural condition Vegetation composition: scrub/trees	
Petrifying springs with tufa formation (Cratoneurion) [7220]	Maintain favourable conservation condition. Hydrological regime: height of water table; water flow (Target: Maintain appropriate hydrological regimes.)	Although there is one known location of this QI Habitat approx. 3.7km northwest of the proposed development site, further areas of this habitat may occur within this SAC. This QI habitat relies on permanent irrigation from upwelling groundwater sources. Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives
Petromyzon marinus (Sea Lamprey) [1095]	Restore favourable conservation condition. No decline in extent and distribution of spawning and nursery beds	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives
Lampetra fluviatilis (River Lamprey) [1099]	Maintain favourable conservation condition. No decline in extent and distribution of	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives

	spawning and nursery beds		
Phoca vitulina (Harbour Seal) [1365]	Maintain favourable conservation condition. Conserve the breeding sites in a natural condition. Conserve the moult haul-out sites in a natural condition.	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives	
NAME OF SAC/ SPA (SITE CODE): Lough Gill SAC (Site Code: 001976) Summary of Key issues that could give rise to adverse effects (from screening stage): (i) Water quality degradation (construction and operation) See Table 5-9 and Section 6 of the submitted NIS.			
Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)
Petromyzon marinus (Sea Lamprey) [1095]	Restore favourable conservation condition. No decline in extent and distribution of spawning and nursery beds	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives	<u>Construction Phase:</u> Implementation of a Construction and Environmental Management Plan (CEMP), including Supervision by ECOW and monitoring of water quality parameters <u>Operational Phase:</u>
Lampetra fluviatilis (River Lamprey) [1099]	Maintain favourable conservation condition.	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives	

	No decline in extent and distribution of spawning and nursery beds		Storm water generated will be directed through a petrol interceptor to an appropriately sized attenuation tank prior to discharge to a central culvert within the site. This culvert will leave the proposed development from the northwest and will continue north to connect to an existing manhole in Larkhill Road. Foul water will be connected to the mains.
Salmo salar (Salmon) [1106]	Restore favourable conservation condition. Water quality (EPA Q) value = At least Q4 at all sites sampled by EPA	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives	
Lutra lutra (Otter) [1355]	Maintain favourable conservation condition. Fish biomass available.	A significant degradation of water quality may adversely affect foraging/ fish biomass	

NAME OF SAC/ SPA (SITE CODE):

Cummeen Strand SPA (Site Code: 004035)

Summary of Key issues that could give rise to adverse effects (from screening stage):

- (i) Water quality degradation (construction and operation)

See Table 5-15 and Section 6 of the submitted NIS.

Qualifying Interest features likely to be affected	Conservation Objectives	Potential adverse effects	Mitigation measures (summary)
Wetland and Waterbirds [A999]	Maintain favourable conservation condition.	Water quality degradation and/ or alteration of habitat quality would undermine conservation objectives	<u>Construction Phase:</u> Implementation of a Construction and Environmental Management Plan

			(CEMP), including Supervision by ECOW and monitoring of water quality parameters <u>Operational Phase:</u> Storm water generated will be directed through a petrol interceptor to an appropriately sized attenuation tank prior to discharge to a central culvert within the site. This culvert will leave the proposed development from the northwest and will continue north to connect to an existing manhole in Larkhill Road. Foul water will be connected to the mains.
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The above table is based on the documentation and information provided on the file and I am satisfied that the submitted NIS has identified the relevant attributes and targets of the Qualifying Interests.

Assessment of issues that could give rise to adverse effects view of conservation objectives

(i) Water quality degradation

Good quality water is necessary to maintain the populations of the Annex II species listed. Water quality degradation is the main risk from unmanaged site works where silt laden surface water reaches Sligo Bay via groundwater. Decrease in water quality would

compromise conservation objectives for Annex II species listed and increase sedimentation could alter habitat quality. Water quality degradation is also a risk from contaminated water at operational stage entering Sligo Bay via mains surface water infrastructure. Decrease in water quality would compromise conservation objectives for Annex II species listed.

Mitigation measures and conditions

A precautionary approach identifies a potential pathway for indirect effects on the groundwater dependent Qualifying Interests of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC, and the Special Conservation Interests (SCIs) of Cummeen Strand SPA via pollution to groundwater or existing stormwater network during the construction phase of the proposed development.

The proposed mitigation measure is through the implementation of a Construction and Environmental Management Plan (CEMP), including site-specific surface and ground water mitigation measures, including:

- Measures to prevent the transportation of silt laden water or pollutants from entering any of the wider environments including watercourses/drains on or near the site.
 - Use of silt fencing
 - Procedures for when subsurface or ground water is encountered.
 - Surface and storm water generated during the operational phase will be captured by the proposed drainage network within the confines of the site boundary.
- Cement based products control measures
- Refuelling, fuel and hazardous materials storage
- Spill control measures
- Dust control

Operational Phase:

A precautionary approach identifies a potential pathway for indirect effects on the aquatic dependent Qualifying Interests (QIs) of Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC, and the Special Conservation Interests (SCIs) of Cummeen Strand SPA was identified in the form of deterioration of water quality and supporting habitats for aquatic fauna via pollution to surface water during the operational phase of the proposed development.

Proposed mitigation measures relate to the management of foul and surface water, as follows:

- **Foul Water:** It is proposed to direct the foul sewer from the development to the north-eastern boundary of the site to the existing foul sewer network traversing the site. The proposed foul sewer will discharge under gravity to the existing foul network. I note a submission received from Uisce Eireann, dated 13th November 2024, confirming feasibility of connection subject to upgrades to the network running through the site.

- **Surface Water:** Storm water generated will be directed through a petrol interceptor to an appropriately sized attenuation tank prior to discharge to a central culvert within the site. This culvert will leave the proposed development from the northwest and will continue north to connect to an existing manhole in Larkhill Road. The NIS and project Civil Design Report outline SuDS measures to be incorporated, to comprise the use of localised soakaways at the rear of dwellings, provision of public open space areas, which includes wetlands, and the use of petrol / oil interceptors.

The submitted engineer's report states that the purpose of the proposed culvert is to allow for the natural surface water flows of the existing greenfield areas to be maintained through the proposed development and that the proposed culvert will be sized to cater for the catchment areas to the south, east and southeast of the proposed site, for a total area of 49.13 Ha.

I am satisfied that the preventative measures which are aimed at interrupting the source pathway-receptor are targeted at the key threats to protected aquatic habitats and species and by arresting these pathways or reducing possible effects to a non-significant level, adverse effects can be prevented. Mitigation measures related to water quality are captured in Planning Condition 3 of the recommendation under the Inspector's Report.

In-combination effects

Section 8 of the NIS considers 'In-combination Effects' to be read alongside a list of plans and projects contained in Appendix 1, with data verified as of 8th April 2024. The NIS concludes that there is no potential for the proposed development to contribute to any cumulative adverse effects on any European Site when considered in-combination with other plans and projects.

In the intervening period, the following further permissions of note have been granted:

- P.A. Ref. 2460218 – Permission granted on 22nd January 2025 for 97 no. dwellings on land at Pearce Road, Sligo, east of the N4, c. 1.5km southeast of the appeal site.
- P.A. Ref. 2460198 - Permission granted on 23rd December 2024 for 118 no. dwellings on land at Newtownholmes Road, Sligo, east of the N4, c. 1km southeast of the appeal site.
- Part 8 housing scheme under construction on lands east of the railway line.

The NIS also refers to the following plans as having been reviewed as part of the assessment:

- Sligo County Development Plan 2017-2023
- Northern & Western Regional Assembly Regional Spatial and Economic Strategy 2020-2032 (RSES)
- Ireland's 4th National Biodiversity Action Plan 2023-2030

While the above referenced RSES 2020-2032 and National Biodiversity Action Plan 2023-2030 are still current, the Sligo County Development Plan 2017-2023 has since been replaced by the Sligo County Development Plan (CDP) 2024-2030.

At a local level, the current CDP contains an objective (SO-GC-1) to develop a green corridor (walking/ jogging/ cycling), with a section linking Oakfield Road to Summerhill Roundabout, with the route partially traversing the appeal site. The proposed development has made provision for this link inside the southern boundary.

The Local Transport Plan 2024-2030 for the Sligo Regional Growth Centre Strategic Plan Area, adopted as part of the CDP, includes a proposal to introduce improvements for active travel connectivity on Oakfield Road in line with schemes currently under development. This scheme has not yet progressed to planning application stage.

The further information submitted by the applicant on 22nd November 2024 acknowledges the subsequent adoption of the 2024-2030 CDP and provides an updated Statement of Consistency in respect of the current CDP, including reference to policy on appropriate assessment.

I am satisfied that in-combination effects has been assessed adequately in the NIS. The applicant has demonstrated satisfactorily that no significant residual effects will remain post the application of mitigation measures and there is therefore no potential for in-combination effects.

Findings and conclusions

The applicant determined that following the implementation of mitigation measures the construction and operation of the proposed development alone, or in combination with other plans and projects, will not adversely affect the integrity of this European site.

Based on the information provided, I am satisfied that adverse effects arising from the proposed development can be excluded for the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC and Cummeen Strand SPA. No direct impacts are predicted. Indirect impacts associated with the construction stage would be temporary in nature and mitigation measures are described to prevent ingress of silt laden surface water and other construction related pollutants. Indirect impacts associated with the operational stage would be mitigated by way of connection to foul and storm water infrastructure, with the incorporation of SuDS measures to attenuate surface water run-off. Supervision and monitoring measures are proposed. I am satisfied that the mitigation measures proposed to prevent such effects have been assessed as effective and can be implemented and conditioned if permission is granted.

Reasonable scientific doubt

I am satisfied that no reasonable scientific doubt remains as to the absence of adverse effects.

Site Integrity

The proposed development will not affect the attainment of the Conservation objectives of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC or Cummeen Strand SPA. Adverse effects on site integrity can be excluded and no reasonable scientific doubt remains as to the absence of such effects.

Appropriate Assessment Conclusion: Integrity Test

In screening the need for Appropriate Assessment, it was determined that the proposed development could result in significant effects on the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC and Cummeen Strand SPA in view of the conservation objectives of those sites and that Appropriate Assessment under the provisions of S177U was required.

Following an examination, analysis and evaluation of the NIS all associated material submitted, and taking into account observations of the Department of Housing, Local Government and Heritage, I consider that adverse effects on site integrity of the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC and Cummeen Strand SPA can be excluded in view of the conservation objectives of these sites and that no reasonable scientific doubt remains as to the absence of such effects.

My conclusion is based on the following:

- Detailed assessment of construction and operational impacts.
- Effectiveness of mitigation measures proposed including supervision and monitoring and integration into CEMP ensuring smooth transition of obligations to eventual contractor.
- Application of planning conditions to ensure application of these measures.
- The proposed development will not affect the attainment of conservation objectives or, where relevant, delay the restoration of favourable conservation condition, for the Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC, Lough Gill SAC and Cummeen Strand SPA.

Appendix 2 – EIA Form 1

EIA Pre-Screening

Case Reference	ABP-321883-25
Proposed Development Summary	Large-scale residential development: Construction of 207 residential units, a creche and all associated site works.
Development Address	Lands located on the Oakfield Road, Sligo, Co. Sligo
In all cases check box /or leave blank	
1. Does the proposed development come within the definition of a ‘project’ for the purposes of EIA? (For the purposes of the Directive, “Project” means: - The execution of construction works or of other installations or schemes, - Other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources)	☒ Yes, it is a ‘Project’. Proceed to Q2.
	☐ No, No further action required.
2. Is the proposed development of a CLASS specified in Part 1, Schedule 5 of the Planning and Development Regulations 2001 (as amended)?	
☐ Yes, it is a Class specified in Part 1. EIA is mandatory. No Screening required. EIAR to be requested. Discuss with ADP.	
☒ No, it is not a Class specified in Part 1. Proceed to Q3	
3. Is the proposed development of a CLASS specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) OR a prescribed type of proposed road development under Article 8 of Roads Regulations 1994, AND does it meet/exceed the thresholds?	
☐ No, the development is not of a Class Specified in Part 2, Schedule 5 or a prescribed type of proposed road development under Article 8 of the Roads Regulations, 1994. No Screening required.	

☐ Yes, the proposed development is of a Class and meets/exceeds the threshold. EIA is Mandatory. No Screening Required	
☒ Yes, the proposed development is of a Class but is sub-threshold. Preliminary examination required. (Form 2) OR If Schedule 7A information submitted proceed to Q4. (Form 3 Required)	10(b)(i): Construction of more than 500 dwelling units 10(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere. Schedule 7A information has been submitted

Inspector: _____

Date: _____

15.0 Appendix 2 – EIA Form 3

Environmental Impact Assessment Screening Determination Form

A. CASE DETAILS		
An Bord Pleanála Case Reference		ABP-322067-25
Development Summary		Construction of 207 residential units, a creche and all associated site works.
	Yes/ No/ N/A	Comment (if relevant)
1. Has an AA screening report or NIS been submitted?	Yes	An Appropriate Assessment Screening Report and a Natura Impact Statement (NIS) have been submitted with the application which consider the Habitats Directive (92/43/EEC) and the Birds Directive (2009/147/EC).
2. Is an IED/ IPC or Waste Licence (or review of licence) required from the EPA? If YES has the EPA commented on the need for an EIAR?	No	N/A
3. Have any other relevant assessments of the effects on the environment which have a significant bearing on the project been carried out pursuant to other relevant Directives – for example SEA.	Yes	Other assessments carried out include: • An Environmental Impact Assessment Screening Report (EIASR) which considers the EIA Directive (2011/92/EU, as amended by 2014/52/EU) and Water Framework Directive (2000/60/EC) • An Ecological Impact Assessment (EcIA) which considers the Habitats Directive (92/43/EEC) and Birds Directive (2009/147/EC), • A site-specific Flood Risk Assessment (FRA) which considers the Planning System and Flood Risk Management: Guidelines for Planning Authorities 2009, and by association the content of the EU Floods Directive (2007/60/EC). • An Energy Statement which considers the content of the European Energy Performance of Buildings Directive (EPBD). • Invasive Species Management Plan, with reference to European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. 477 of 2011) SEA was undertaken by the planning authority in respect of the Sligo County Development Plan 2024-2030.

B. EXAMINATION	Response: Yes/ No/ Uncertain	Where relevant, briefly describe the characteristics of impacts (i.e. the nature and extent) and any Mitigation Measures proposed to avoid or prevent a significant effect (having regard to the probability, magnitude (including population size affected), complexity, duration, frequency, intensity, and reversibility of impact)	Is this likely to result in significant effects on the environment? Yes/ No/ Uncertain
1. Characteristics of proposed development (including demolition, construction, operation, or decommissioning)			
1.1 Is the project significantly different in character or scale to the existing surrounding or environment?	No	The project comprises the construction of a mid-scaled, mid-density residential scheme (and creche) on zoned lands. The project does not differ significantly from the surrounding area in terms of character as a residential suburb with conventional layout, surface parking, landscaped open spaces and boundary treatments, or in terms of scale (use of conventional dwellings and apartment blocks), conventional building height of two-storeys with moderate increase to three storeys for apartment blocks.	No
1.2 Will construction, operation, decommissioning, or demolition works cause physical changes to the locality (topography, land use, waterbodies)?	Yes	There are no structures on the site therefore no demolition works required. Project will cause physical changes to the appearance of the site during the site development works. Proposed excavation works will cause a change in site topography/ ground levels, which will be managed through implementation of the outline Construction Environmental Management Plan (CEMP) final agreed version to be required by condition). The use of the land will change from greenfield / partial agriculture to residential use, a more efficient use of serviced land. There are no watercourses located on or adjacent to the site (closest waterbody is the River Knappagh (Sligo) located 154m to the northwest of the proposed development site.	No

		Surface water runoff will be collected and attenuated on-site and then discharged to the public surface water network. The proposal will connect to/ be serviced by public water supply and wastewater drainage systems. The operational phase of project (i.e. occupation of the residential units and childcare facility) will not cause physical changes to the locality by itself. Accordingly, I do not consider that the physical changes arising from the project are likely to result in significant effects on the environment in terms of topography, land use, and hydrology/ hydrogeology.	
1.3 Will construction or operation of the project use natural resources such as land, soil, water, materials/ minerals, or energy, especially resources which are non-renewable or in short supply?	Yes	The project uses standard construction methods, materials and equipment, and the process will be managed through the implementation of the outline/ final CEMP. There is no significant use of natural resources anticipated. The project uses land, which is a finite resource, however it is used more efficiently and sustainably than at present (green field / partial agriculture). Otherwise, the operational phase of the project will not use natural resources in short supply. The project connects to the public water, wastewater, and surface water drainage services systems which have sufficient capacity to cater for demands arising from the project. All dwellings will have a BER rating of A/A3. Accordingly, I do not consider the use of natural resources in the project likely to result in a significant effect on the environment of the area.	No
1.4 Will the project involve the use, storage, transport, handling, or production of substance which would be harmful to human health or the environment?	Yes	Construction phase activities will require the use of potentially harmful materials, such as fuels and create waste for disposal. The use of such substances will be typical of construction sites. Noise and dust emissions during the construction phase are likely. These works will be managed through implementation of the outline/ final CEMP, which can be required by condition. The operational phase of the project does not involve the use, storage, or production of any harmful substance. Conventional waste produced from	No

		residential and small-scale commercial activity (childcare facility) will be managed through the implementation of an Operational Waste Management Plan (OWMP) which can be required by condition. Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of human health or biodiversity.	
1.5 Will the project produce solid waste, release pollutants or any hazardous/ toxic/ noxious substances?	Yes	Conventional waste will be produced from construction activity and will be managed through the implementation of the outline/ final CEMP as outlined above. The operational phase of the project (i.e., the occupation of the residential units and childcare facility) will not produce or release any pollutant or hazardous material. Conventional operational waste will be managed through the implementation of an Operational Waste Management Plan. Accordingly, I do not consider the production of waste or generation of pollutants in the project likely to result in a significant effect on the environment of the area.	No
1.6 Will the project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	Yes	The project involves site preparation (vegetation, top and subsoils removal), excavations (foundations for site services, building), reprofiling and construction (roads, footpaths, building), and landscaping works (open spaces). These construction phase activities are associated with contamination risks to land and/ or water sources. I direct the Board to the response to Q:2.1 below in respect of the risk of contamination of protected water bodies/ ecological designations. I direct the Board to the response to Q:2.5 below in respect of the risk of contamination of water resources including surface waters, groundwaters, coastal waters, and of flood risk. Accordingly, as risks of contamination to ground or water bodies are not predicted and/ or can be mitigated against, I do not consider this aspect of the project likely to result in a significant effect on the environment.	No
1.7 Will the project cause noise and vibration or release of light, heat, energy, or electromagnetic radiation?	Yes	Noise, vibration, and light impacts are likely during the site development works. These works are short term in duration, and impacts arising will	No

		be temporary, localised, and be managed through implementation of the outline/ final CEMP. The operational phase of the project will also likely result in noise and light impacts associated with the increased intensity of the residential and commercial use (e.g., traffic generation, use of communal and private open spaces). However, these are anticipated to be typical of such mid-scaled, mid-density residential schemes, as proposed. Lighting impacts will be mitigated by the provision of a public lighting plan designed to comply with industry guidance and provided to the satisfaction of the planning authority. I direct the Board to the response to Q:2.8 below in respect of the project's effect on sensitive land uses. Accordingly, I do not consider this aspect of the project likely to result in significant effects on the environment in terms of air quality (noise, vibration, light pollution).	
1.8 Will there be any risks to human health, for example due to water contamination or air pollution?	Yes	The potential for water contamination and air pollution (noise and dust emissions) during the construction phase is likely. Construction works will be managed through implementation of the outline/ final CEMP. Site development works are short term in duration, and impacts arising will be temporary, localised, addressed by the mitigation measures. The operational phase of the project will not likely cause risks to human health through water contamination or air pollution due to the nature and design of the scheme, connection to public water systems, incorporation of SuDS features in the surface water management system, and scale of residential and commercial activities, and use arising. Accordingly, in terms of risks to human health, I do not consider this aspect of the project likely to result in a significant effect on the environment.	No

1.9 Will there be any risk of major accidents that could affect human health or the environment?	No	There is no risk of major accidents given nature of the project and location of the site.	No
1.10 Will the project affect the social environment (population, employment)	Yes	The project increases localised temporary employment activity at the site during development works (i.e. site enabling and construction phases). The site development works are short term in duration and impacts arising will be temporary, localised, addressed by the mitigation measures in the outline/ final CEMP. The operational phase of the project (i.e. the occupation of the residential units) will result in a potential increase of up to c. 485 persons (based on average household size of c. 2.34 for Sligo town at Census 2022) or a c. 2.3% increase in the population of Sligo town (population 20,608 at Census 2022). A slight impact in scale of effect. The childcare facility will cater for c. 50 children and associated staff members. The receiving area is an established urban neighbourhood location, which is in proximity to services, public transport, amenities, and has the capacity to accommodate the likely impacts associated with the anticipated population increase. Accordingly, I do not consider this aspect of the project likely to result in a significant effect on the social environment of the area.	No
1.11 Is the project part of a wider large-scale change that could result in cumulative effects on the environment?	Yes	The site is zoned 'nRES – New Residential Uses' under the current CDP. The site is contained between the urban footprint to the north and west, Irish Rail land and a railway line to the east and undeveloped residential zoned land to the south. The design and layout of the scheme has had regard to adjacent undeveloped land to the south. At a wider level, the Local Transport Plan 2024-2030 for the Sligo Regional Growth Centre Strategic Plan Area, adopted as part of the CDP, includes a proposal to introduce improvements for active travel connectivity on Oakfield Road in line with schemes currently under development. This project has not yet progressed to planning application stage. The further information submitted by the applicant on 22nd November 2024 acknowledges the subsequent adoption of the 2024-2030 CDP and	No

		provides an updated Statement of Consistency in respect of the current CDP, including reference to policy on appropriate assessment. I direct the Board to the response to Q: 3.1 below in respect of considerations of cumulative effects of the project. I do not anticipate cumulative significant negative effects on the area arising from the project.	
2. Location of proposed development			
2.1 Is the proposed development located on, in, adjoining or have the potential to impact on any of the following: a) European site (SAC/ SPA/ pSAC/ pSPA) b) NHA/ pNHA c) Designated Nature Reserve d) Designated refuge for flora or fauna e) Place, site or feature of ecological interest, the preservation/ conservation/ protection of which is an objective of a development plan/ LAP/ draft plan or variation of a plan	Yes	The project is not located in, on, or adjoining any European Site, any designated or proposed NHA, or any other listed area of ecological interest or protection. A submitted AA Screening Report identifies that the construction and operational phase of the proposed development may result in the deterioration of water quality in the Garavogue Estuary / Sligo Bay via pollution to groundwaters through the percolation of polluting materials through the bedrock (construction stage) and via untreated stormwater entering the existing system and potentially entering Garavogue Estuary / Sligo Bay through existing storm water infrastructure (operational stage), which in turn may result in adverse impacts to the water quality/ habitat quality and supporting habitats for QI and SCI species associated with Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC (Site Code: 000627), Lough Gill SAC (Site Code: 001976) and Cummeen Strand SPA (Site Code: 004035). A submitted Natura Impact Statement sets out mitigation measures to safeguard ground and surface water quality in this regard including through the implementation of a CEMP and connection to public services for waste and surface water. This screening process concluded that subject to the proposed mitigation measures, the project would not have a likely significant effect on any European Site either alone or in combination with other plans or projects. Accordingly, I consider it reasonable to conclude that on the basis of the information submitted in the NIS report, including the recommended mitigation measures, and other documentation submitted in support of this	No

		application, that the proposed development, individually or in combination with other plans or projects would not be likely to adversely affect the integrity of any European Site. See Section 9.0 and Appendix 1 of this report. Water Framework Directive is discussed under Section 11 and Appendix 3 of the Inspector's Report.	
2.2 Could any protected, important, or sensitive species of flora or fauna which use areas on or around the site, for example: for breeding, nesting, foraging, resting, over-wintering, or migration, be significantly affected by the project?	Yes	The site comprises greenfield lands. The EclA confirms the site as not being under any wildlife or conservation designation. No protected habitats, plant species of conservation importance, or any terrestrial mammals or evidence of mammals of conservation importance were noted on site. Bird species were recorded (17 species), 12 of which are green listed, 3 amber listed and 2 red listed species. Both red listed species (woodcock and snipe) were observed outside of the development site boundary. The bat habitat appraisal found that the majority of trees within the site were assigned a Negligible to Low roosting potential. No bats were observed emerging or re-entering any trees during the survey. The bat survey at dusk recorded a total of 117 bat passes, dominated by three bat species (Common pipistrelle, Soprano pipistrelle, Leisler's bat) at the site for commuting and foraging, with activity concentrated to the hedgerow habitats towards the centre of the site. Additionally, two static detectors were deployed on the site for fourteen nights in May 2023. In total, 3,228 bat passes were recorded, dominated by the Common pipistrelle and Soprano pipistrelle and to a lesser extent the Leisler's bat. No species listed under the Annexes of the European Habitats Directive were recorded during ecological walkover surveys and no evidence of other species such as Badger (<i>Meles meles</i>), Irish hare (<i>Lepus timidus hibernicus</i>), Pygmy Shrew (<i>Sorex minutus</i>), and Irish Stoat (<i>Mustela erminea Hibernica</i>) that are protected under the Irish Wildlife Act 1976- 2022, were recorded during the site visit.	No

		The EclA considers the potential impacts of the proposal at construction and operation phases on biodiversity (on-site and within the zone of influence), birds, bats, and mammals. The designed-in mitigation and targeted mitigation devised to address the potential impacts are described. Key among which include project design to retain hedgerows and proposed tree planting scheme (noting additional vegetation and wetlands to be retained by way of revised plans submitted under further information), and at construction stage, the implementation of the CEMP (noise, vibration, dust, surface water and groundwater protection measures), pre-construction surveys and inspections, time-restricted development works, provision of nest boxes and bat boxes, and installation of a bat sensitive lighting scheme. The EclA concludes that with the implementation of mitigation measures, there will be no significant impacts on biodiversity. An Invasive Species Management Plan was submitted, identifying medium and high-risk invasive species on and bordering the site and prescribes measures that will be employed to prevent the further spread of same. The high-risk species identified is Japanese Knotweed, located outside the site but close to the boundary. The report noted that the stand of Japanese Knotweed was recorded at a lower elevation than the Proposed Development Site, at the bottom of a steep embankment, separated from the site by metal fencing and an existing Hedgerow. As such, the root system is unlikely to extend upwards into the Proposed Development Site. However taking a highly precautionary approach, a pre-construction Invasive Species Survey to determine if Japanese knotweed has encroached into the site in the intervening period will be undertaken. If Japanese knotweed is found to have encroached into the site, a number of management and control options are provided below for the treatment of this Invasive Species. This will be determined by an ecologist on site. Accordingly, I do not consider the project likely to result in a significant effect on the environment in terms of biodiversity (protected habitats, flora, fauna).	
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2.3 Are there any other features of landscape, historic, archaeological, or cultural importance that could be affected?	Yes	There are no landscape designations or protected scenic views at the subject site. There are no protected structures within, adjoining or in the vicinity of the site, and the site is not included within an architectural conservation area. A submitted Archaeological Impact Assessment (AIA) notes that the proposed development area at Ballydoogan / Magheraboy does not contain any known recorded monuments and that a number of recorded monuments are located in the vicinity but not directly within the proposed development area. However, the site inspection identified a sub-circular, heavily overgrown area towards the southwest corner of the site. Although not recorded, the area could indicate the presence of an enclosure. The high level of undergrowth restricted further investigation. The AIA recommends archaeological testing and a programme of geophysical survey to identify any areas of archaeological potential. The application also includes results of geophysical survey and test trenching, finding nothing of archaeological significance. A submission received from the Applications Unit on behalf of the Department of Housing, Local Government and Heritage concurred with the recommendation of the submitted AIA and recommended archaeological pre-development testing to determine the nature, extent and significance of the possible archaeological feature and agreement with the dept in terms of preservation in situ or by record. And furthermore, to require the developer to engage the services of a suitably qualified archaeologist to monitor all groundworks associated with the development. Accordingly, having regard to the documentation submitted with the application, and subject to conditions in respect of further archaeological monitoring, I do not consider the project likely to result in a significant effect on the environment in terms of architectural, archaeological and cultural heritage.	No
2.4 Are there any areas on/ around the location which contain important, high quality or scarce	No	There are no such resources on or close to the site.	No

resources which could be affected by the project, for example: forestry, agriculture, water/ coastal, fisheries, minerals?			
2.5 Are there any water resources including surface waters, for example: rivers, lakes/ ponds, coastal or groundwaters which could be affected by the project, particularly in terms of their volume and flood risk?	Yes	There are no watercourses located at or adjacent to the site (closest waterbody is Sligo Bay / Garavogue Estuary, c. 1.4km to the northeast). I direct the Board to the response to Q:1.2 above in respect of the construction and operation phase impacts of the project on the water resources at the site/ in the vicinity (i.e., surface water/ groundwater impacts). There are indirect hydrological connections between the site and the European sites in Sligo Bay, via ground and surface water pathways. I direct the Board to the response to Q:2.1 above in respect of the impact of the project on the watercourses, the European sites, and the Irish sea. Mitigation measures are identified in the outline CEMP during the construction phase of the project to safeguard the quality of the surface water runoff, prevent pollution events to groundwater, and mitigate against excessive siltation. The operational phase impacts are addressed primarily through design, with a comprehensive surface water management system including SuDS features, on-site attenuation, and discharge to the public surface water network. The system will include the construction of a culvert to allow for the natural surface water flows of the existing greenfield areas to be maintained through the proposed development, sized to cater for the catchment areas to the south, east and southeast of the proposed site, for a total area of 49.13 Ha. The project's SSFRA states that there is no record of flooding previously occurring on the proposed development site and that the proposed development site is not located in a floodplain. The SSFRA concludes that the proposed works will not result in a loss of floodplain and the proposed works are unlikely to increase the current flood risk in this catchment.	No

		The SFFRA does however identify an OPW designation for Medium Probability for Fluvial Flooding on southern side of the site. This flood risk appears to have resulted in the corresponding sliver of land being zoned 'Open Space' in the draft Sligo County Development Plan 2024-2030, and provision for same made accordingly in the submitted site layout plan i.e. left clear of development, allowing flood water to accumulate and then infiltrate into the ground once the flood event has passed. The entire site is zoned nRES – New Residential under the adopted 2024-2030 County Development Plan. Accordingly, I do not consider the project likely to result in a significant effect on the environment in terms of water resources and flood risk.	
2.6 Is the location susceptible to subsidence, landslides or erosion?	No	There is no evidence identified of these risks.	No
2.7 Are there any key transport routes (e.g. National Primary Roads) on or around the location which are susceptible to congestion, or which cause environmental problems, which could be affected by the project?	No	Vehicular access to the project will be via two new entrances from Oakfield Road (L3601) with a 50kmph speed limit. This is part of the local road network of the town with ease of connection to the Western Distributor Road (R869) to the south, which in turn connects to the N4 further east. Car and bicycle parking facilities are to be provided within the grounds of the proposed residential development, comprising 366 parking spaces for vehicles and 368 parking spaces / storage for bicycles. During the site development works, the project will result in an increase in traffic activity (HGVs, workers) as construction equipment, materials, and waste are delivered to/ removed from the site. Site development works are short term in duration and impacts arising will be temporary, localised, and managed under the outline/ final CEMP and Construction Management Plan (required by condition). A submitted Traffic and Transport Assessment (TTA), updated at further information stage, included traffic analysis of the existing Ballydoogan Roundabout (to the north) and Maugheraboy Roundabout (to the south) with the proposed development in place to determine if the junctions will operate within capacity when the development is constructed and fully occupied in 2025, five years after opening in 2030 and fifteen years after opening in 2040. The results of the analysis show that the junctions will not exceed the 0.85 ratio of flow to capacity (RFC) value during the AM or	No

		PM hours in 2025, 2030 and will continue to operate with reserve capacity beyond 2040 (noting that an RFC value of 1.0 indicates that the junction is operating at full capacity with a value of 0.85 considered to be the maximum RFC value after which the junction will begin to experience some capacity issues). Accordingly, I do not consider the project likely to result in a significant effect on any key transport routes or on the environment in terms of transportation.	
2.8 Are there existing sensitive land uses or community facilities (such as hospitals, schools etc) which could be significantly affected by the project?	No	There are private residential dwellings located in close proximity to the site, comprising dwellings fronting Oakfield Road to the west of the site and dwellings fronting Maugheraboy Road to the north, backing onto the site boundary. Site development works will be implemented in accordance with the outline/ final CEMP which includes mitigation measures to protect the amenity of adjacent properties and residents. Once operational, the design, siting, and scale of the proposed buildings and the separation distances to the closest dwellings are such that negative impacts arising from overlooking, overshadowing, overbearance are not reasonably anticipated. The operational phase of the project will cause an increase in activity at the site (traffic generation, use of communal and private open spaces) which are considered to be typical of such mid-scaled, mid-density residential schemes as proposed, sited in established urban neighbourhood locations such as the receiving area and are well within acceptable parameters for same. The project will be under the control of an established management company and/ or elements taken in charge by the local authority, and no negative impacts on residential amenity are anticipated.	No
3. Any other factors that should be considered which could lead to environmental impacts			
3.1 Cumulative Effects: Could this project together with existing and/ or approved development result in cumulative effects during the construction/ operation phase?	No	Existing and/ or approved planning permissions in the wider Sligo Town area have been noted in the application documentation and associated assessments.	No

		Other projects have been identified as part of the planning history under Appendix 1 (Appropriate Assessment) of the Inspector's Report, which includes the Part 8 housing scheme under construction on land to the east. These developments are of a nature and scale that have been determined to not have likely significant effects on the environment. No developments have been identified in the vicinity which would give rise to cumulative significant environmental effects with the project. As such, no cumulative significant effects on the area are reasonably anticipated. As noted in Q. 1.11, active travel improvements to Oakfield Road, referred in the Local Transport Plan for Sligo town, has not yet progressed to planning application stage.	
3.2 Transboundary Effects: Is the project likely to lead to transboundary effects?	No	There are no transboundary effects are arising.	No
3.3 Are there any other relevant considerations?	No	No	No
C.CONCLUSION			
No real likelihood of significant effects on the environment.	X	EIAR Not Required	
Real likelihood of significant effects on the environment.		EIAR Required	
D. MAIN REASONS AND CONSIDERATIONS			
Regard has been had to: a) The nature and scale of the project, which is below the thresholds in respect of Class 10(b)(i) and Class 10(b)(iv) of the Planning and Development Regulations 2001, as amended. b) The location of the site on zoned lands (Zoning Objective 'nRES – New Residential'), and other relevant policies and objectives in the Sligo County Development Plan 2024-2030, and the results of the strategic environmental assessment of this plan undertaken in accordance with the SEA Directive (2001/42/EC). c) The greenfield nature of the site and its location in an established suburban neighbourhood of Sligo town, which is served by public services and infrastructure. d) The pattern of existing and permitted development in the area.			

- e) The location of the site outside of any sensitive location specified in article 109(4)(a) the Planning and Development Regulations 2001, as amended and the absence of any potential impacts on such locations.
- f) The guidance set out in the 'Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding Sub-threshold Development', issued by the Department of the Environment, Heritage, and Local Government (2003).
- g) The criteria set out in Schedule 7 of the Planning and Development Regulations 2001, as amended.
- h) The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the EIA Directive.
- i) The features and measures proposed by the applicant envisaged to avoid or prevent what might otherwise be significant effects on the environment, including those identified in the outline Construction Environmental Management Plan, Ecological Impact Assessment, Natura Impact Statement, Arboricultural Report, Invasive Species Management Plan, Site Specific Flood Risk Assessment, Archaeological Impact Assessment, Lighting Design Report and Mobility Management Plan.
- j) In so doing, the Board concluded that by reason of the nature, scale and location of the project, the development would not be likely to have significant effects on the environment and that an Environmental Impact Assessment and the preparation of an Environmental Impact Assessment Report would not, therefore, be required.

Inspector: _____

Date: _____

Assistant Director of Planning: _____

Date: _____

Appendix 3 – WFD Stage 1: Screening

WATER FRAMEWORK DIRECTIVE IMPACT ASSESSMENT STAGE 1: SCREENING

Step 1: Nature of the Project, the Site and Locality

An Bord Pleanála ref. no.	ABP-322067-25	Townland, address	Lands Oakfield Road, Sligo, Co. Sligo
Description of project		Construction of 207 residential units, a creche and all associated site works	
Brief site description, relevant to WFD Screening,		• Greenfield site within an urban area. • The submitted EIA Screening Report outlines the following: - No watercourse within the boundary of the site. - The nearest waterbody is the River Knappagh (Sligo) (EPA Code: 35K42) located 154m to the northwest of the proposed development site, which flows in a north-westerly direction before discharging into the Garavogue Estuary. - Garavogue Estuary / Sligo Bay is c. 1.3km north / northeast of the site. - The Garavogue River, which flows into the Garavogue Estuary from the east, is c. 1.35km northeast of the site. - The proposed development site is located within the Sligo Bay Catchment, and the Carrowgobbadagh sub-catchment. - The site is located in the Carrowmore west ground waterbody, in an area of high groundwater vulnerability. • Submitted Ecological Impact Assessment refers to historical land drains on the site but that no perceptible water flow was observed during ecological survey walkovers. • GSI Mapping shows that the soil at this location is underlaid by deep well drained soil.	

Proposed surface water details	Storm water generated will be directed through a petrol interceptor to an appropriately sized attenuation tank prior to discharge to a central culvert within the site. This culvert will leave the proposed development from the northwest and will continue north to connect to an existing manhole in Larkhill Road. The NIS and project Civil Design Report outline SuDS measures to be incorporated, to comprise the use of localised soakaways at the rear of dwellings, provision of public open space areas, which includes wetlands, and the use of petrol / oil interceptors.
Proposed water supply source & available capacity	The proposed development would be connected to the public water mains. In a response to a further information request, the applicant submitted a copy of Uisce Eireann 'Confirmation of Feasibility' in respect of a water supply connection, dated 13/11/2024. Uisce Eireann's latest Capacity Register (published December 2024) indicates 'capacity available' in respect of water supply for Sligo town.
Proposed wastewater treatment system & available capacity, other issues	The proposed development would be connected to the public sewer mains. In a response to a further information request, the applicant submitted a copy of Uisce Eireann 'Confirmation of Feasibility' in respect of a wastewater connection, dated 13/11/2024, subject to site level upgrades. Uisce Eireann's latest Capacity Register (published December 2024) indicates 'spare capacity available' in respect of wastewater treatment for Sligo town.
Others?	N/A

Step 2: Identification of relevant water bodies and Step 3: S-P-R connection						
Identified water body	Distance to (m)	Water body name(s) (code)	WFD Status	Risk of not achieving WFD Objective e.g.at risk, review, not at risk	Identified pressures on that water body	Pathway linkage to water feature (e.g. surface run-off, drainage, groundwater)
River Knappagh (Sligo)	c. 154m to the northwest	KNAPPAGH (Sligo)_010 IE_WE_35K420630	The River Waterbody WFD Status 2016-2021 awarded the River Knappagh a status of 'Good'	Review	-	Groundwater
Garavogue Estuary / Sligo Bay	c. 1.3km	Garavogue Estuary IE_WE_470_0100	The Transitional Waterbody WFD Status 2016-2021 awarded the Garavogue Estuary a status of 'Moderate'	Review	-	Groundwater Surface water run-off to existing stormwater mains
Garavogue River	c. 1.35km	GARAVOGUE_010 IE_WE_35G010200	The River Waterbody WFD Status 2016-2021 awarded the River Knappagh a status of 'Poor'	At Risk	River Urban Run Off Pressures River Forestry Pressures	Groundwater
Carrowmore west ground waterbody, in an area of high groundwater vulnerability.	N/A	Carrowmore West IE_WE_G_0040	Ground Waterbody WFD Status 2016-2021 awarded Carrowmore West groundwater body a status of 'Good'	Review	-	Groundwater

Step 3: Detailed description of any component of the development or activity that may cause a risk of not achieving the WFD Objectives having regard to the S-P-R linkage.							
CONSTRUCTION PHASE							
No.	Component	Water body receptor (EPA Code)	Pathway (existing and new)	Potential for impact/ what is the possible impact	Screening Stage Mitigation Measure*	Residual Risk (yes/no) Detail	Determination** to proceed to Stage 2. Is there a risk to the water environment? (if 'screened' in or 'uncertain' proceed to Stage 2.
1.	Construction related contaminants entering ground water.	KNAPPAGH (Sligo)_010	Existing	Water quality degradation. Site is underlaid by deep well drained soil therefore fast percolation of water / pollutants.	CEMP including supervision and monitoring.	No	N/A
2.	Construction related contaminants entering ground water and stormwater infrastructure.	Garavogue Estuary	Existing	Water quality degradation Site is underlaid by deep well drained soil therefore fast percolation of water / pollutants.	CEMP including supervision and monitoring.	No	N/A
3.	Construction related contaminants	Carrowmore West Groundwater	Existing	Water quality degradation	CEMP including supervision and monitoring.	No	N/A

	entering ground water			Site is underlaid by deep well drained soil therefore fast percolation of water / pollutants.			
4.	Construction related contaminants entering ground water.	GARAVOGU E_010	Existing	Water quality degradation. Site is underlaid by deep well drained soil therefore fast percolation of water / pollutants.	CEMP including supervision and monitoring.	No	N/A
OPERATIONAL PHASE							
5.	Untreated operational stage surface water entering stormwater infrastructure.	Garavogue Estuary	Existing	Water quality degradation	Connection to foul mains. Connection to surface water mains and provision of SuDS measures.	No	N/A